

CITY OF WEST DES MOINES

COUNCIL AGENDA

date: Tuesday, September 13, 2022

time: 5:30 p.m.

MAYOR RUSS TRIMBLE
COUNCILMEMBER AT LARGE RENEE HARDMAN
COUNCILMEMBER AT LARGE MATTHEW MCKINNEY
COUNCILMEMBER 1ST WARD KEVIN L. TREVILLYAN
COUNCILMEMBER 2ND WARD GREG HUDSON
COUNCILMEMBER 3RD WARD DOUG LOOTS

CITY MANAGER.....TOM HADDEN
CITY ATTORNEY.....RICHARD SCIESZINSKI
CITY CLERK.....RYAN JACOBSON

West Des Moines City Hall - City Council Chambers 4200 Mills Civic Parkway

*Members of the public wishing to participate telephonically, may do so by calling:
515-207-8241, Enter Conference ID: 656 521 750#*

1. Call Meeting to Order

2. Approval of Agenda

- a. Motion - Approval of Agenda

3. New Business

- a. West Bank, 3330 Westown Parkway - Approval of Site Plan to Allow Construction of a Four-Story Office and Bank Building - West Bank
1. Resolution - Approval of Site Plan

4. Public Hearings

- a. Comprehensive Plan Amendment - Approval of Update to the Comprehensive Plan and Land Use Map - City Initiated
1. Resolution - Approval of Update to Comprehensive Plan and Land Use Map
- b. Comprehensive Plan Land Use Map Amendment - Approval of Comprehensive Land Use Map Designation - McKinney Property
1. Resolution - Approval of Comprehensive Plan Land Use Map Designation

- c. Comprehensive Plan Land Use Map Amendment - Approval of Comprehensive Land Use Map Designation - Wittern SE Property
 - 1. Resolution - Approval of Comprehensive Plan Land Use Map Designation

- d. Comprehensive Plan Land Use Map Amendment - Approval of Comprehensive Land Use Map Designation - Wittern SW Property
 - 1. Resolution - Approval of Comprehensive Plan Land Use Map Designation

- e. Comprehensive Plan Land Use Map Amendment - Approval of Comprehensive Land Use Map Designation - Sweeney Property
 - 1. Resolution - Approval of Comprehensive Plan Land Use Map Designation

- f. Comprehensive Plan Land Use Map Amendment - Approval of Comprehensive Land Use Map Designation - Colby Property
 - 1. Resolution - Approval of Comprehensive Plan Land Use Map Designation

5. Receive and File

- a. Special Meeting Notice

The City of West Des Moines is pleased to provide accommodations to disabled individuals or groups and encourages their participation in city government. Should special accommodations be required please contact the Clerk's office at least 48 hours in advance, at 222-3600 to have accommodations provided.

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

Meeting Date: September 13, 2022

ITEM: West Bank, 3330 Westown Parkway – Site Plan to allow construction of a four-story office and bank building – West Bank – MaM-005517-2022

Resolution: Approval of Full Site Plan

Background: Matt Brown with Formation Group, on behalf of the applicant and property owner, West Bank, requests approval of the Full Site Plan for the approximately 7.7-acre property located at 3330 Westown Parkway. The applicant proposes to construct a 65,000 sq. ft., four-story office and bank building and associated site improvements. Complimenting and supporting the office building are site amenities including a formal plaza area and walking paths adjacent to and around a water feature that also serves as a storm water retention pond, and a significant increase in the amount of open greenspace will be provided.

Staff Review & Comment:

- **History:** The property was developed in the 1970s and historically has contained two banks, a brewery, a multi-tenant retail building, a free-standing restaurant (TGI Friday's then Hurricane Grill) and the former Fitness World West which, in 2020, was purchased and renovated as the home for ClaimDoc, LLC. In 2018, an amendment to the Planned Unit Development (PUD) ordinance was approved to set the stage for redevelopment of the site in anticipation of a mix of retail and residential. On July 5, 2022 a Phased Site Plan to allow construction of private utilities, footings and foundations was approved. On July 18, 2022, A PUD amendment was approved to change the West Bank site from Regional Commercial (RC) to Professional Commerce Park (PCP) to accommodate the redevelopment of the property for West Bank's Headquarters building.
- **Key Development Aspects:**
 1. **Building Demolitions:** The multi-tenant retail building, the bank on the corner of Westown Parkway and Valley West Drive, the brewery, and the vacant restaurant have all been demolished to make way for the proposed office building. The second bank on the property will stay for several more years until its lease expires and then it too will be demolished.
 2. **Right of Way Dedication:** The applicant will be deeding 20 feet of right of way for Westown Parkway as a part of this site plan. The half right of way adjacent to the site needs to be 50 feet. The current width is 30 feet. An acquisition plat will need to be prepared to define the 20 feet to be dedicated to the City. A warranty deed will need to be prepared for the 20 feet to accompany the acquisition plat. Staff recommends a condition of approval that this be accomplished prior to any occupancy of the building.
- **Traffic Impact Study Findings:** The traffic study performed for the rezoning and subsequent development of the property indicated less traffic is anticipated to be generated than previously planned.
- **Conditions of Approval:** The conditions of approval are added to acknowledge that certain items are still needed prior to the issuance of any occupancy permits.
- **Approval Process:** This project is scheduled for the September 13, 2022 City Council meeting. Because the Council staff report will be printed prior to the Planning and Zoning Commission consideration of this item on September 12th, no Planning and Zoning Commission recommendation will be included in the City Council staff report. A memo summarizing the

Commission's recommendation and vote will be provided to the Council prior to their meeting, and an updated resolution will be provided for the Mayor's signature.

- **Vesting of Entitlement:** Per City Code, entitlement (approval to construct or implement) shall remain in effect so long as substantial site work has progressed beyond grading and completion of structural foundations and twenty-five percent (25%) of the total building area has occurred above grade within twenty-four (24) months of the effective date of the approval, unless a greater time period is authorized at time of the original entitlement, or by approval of an extension of the original entitlement. It is the responsibility of the developer to be aware of this deadline and request an extension of the approval prior to the expiration date.

Outstanding Issues: There are no outstanding issues.

Plan and Zoning Commission Action:

Date: September 12, 2022

Vote:

Recommendation:

Recommendation: Approve the Full Site Plan request, subject to the applicant meeting all City Code requirements, and the following conditions of approval:

1. The applicant acknowledges and agrees that it shall deed 20 feet of right of way to the City as a part of this site plan approval. The right of way shall be deeded to the City prior to any occupancy being issued for the proposed office building.
2. The applicant acknowledges and agrees that prior to any occupancy being issued for the building, the Storm Water Management Facility Maintenance Agreement needs to be executed and provided to the City, including as built drawings and certifications of the constructed storm water facilities to be provided to the City for staff review and approval.
3. The applicant acknowledges and agrees that prior to any occupancy being issued for the building, easements for water mains need to be executed and returned to the City.

Lead Staff Member: Brian Portz on behalf of Kara V. Tragesser, AICP

Approval Meeting Dates:

Plan and Zoning Commission	September 12, 2022
City Council	September 13, 2022

Staff Report Reviews:

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

Publications (if applicable)

Published In:	Des Moines Register Community Section
Date(s) Published	n/a
Date(s) of Mailed Notices	n/a

Council Subcommittee Review (if applicable)

Subcommittee	Development & Planning
Date Reviewed	3/21/22
Recommendation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Split

Location Map



↑
N
Page 3

**A RESOLUTION OF THE PLAN AND ZONING COMMISSION
NO. PZC-22-091**

WHEREAS, pursuant to the provisions of Title 9, Zoning of the West Des Moines Municipal Code, the applicant and property owner West Bank requests approval of the Site Plan for the approximately 7.71-acre property generally located at 3330 Westown Parkway as depicted on the location map included in the staff report. The applicant requests approval to construct a 4 story office and bank building; and

WHEREAS, the Full Site Plan request complies with the findings stated in the applicable provisions of Title 9, the Comprehensive Plan and City Code.

NOW THEREFORE, the Plan and Zoning Commission of the City of West Des Moines recommends the City Council approve the Site Plan (MaM-005517-2022), 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 September 12, 2022.

Jennifer Drake, Chair
Planning and Zoning Commission

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Planning and Zoning Commission of the City of West Des Moines, Iowa, at a regular meeting on September 12, 2022, by the following vote:

AYES:

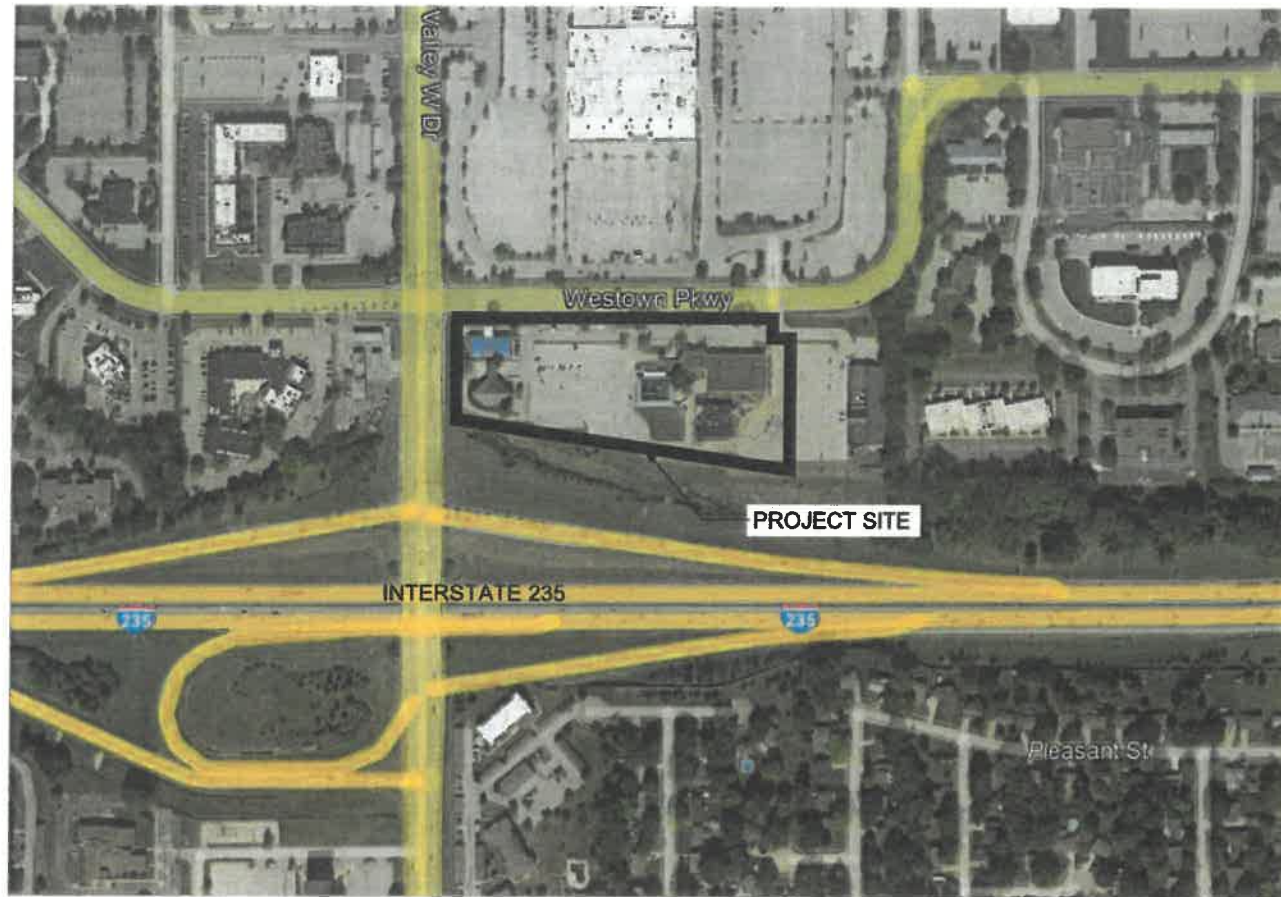
NAYS:

ABSTENTIONS:

ABSENT:

ATTEST:

Recording Secretary



VICINITY MAP

PROPERTY DESCRIPTION
 THAT PART OF THE NORTH 80 ACRES OF THE WEST 1/2 OF THE NORTHWEST FRACTIONAL 1/4 OF SECTION 4, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH P.M., WEST DES MOINES, POLK COUNTY, IOWA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 4; THENCE NORTH 902.8 FEET ALONG THE WEST LINE OF SAID SECTION 4; THENCE EAST, 50.0 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING EAST 1063.72 FEET; THENCE ALONG A CURVED LINE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 250.0 FEET AND A CHORD BEARING OF N61°18'45"E, AN ARC DISTANCE OF 250.34 FEET TO THE POINT OF INTERSECTION OF SAID CURVED LINE AND THE EAST LINE OF THE WEST 1/2 OF SAID NORTHWEST FRACTIONAL 1/4 OF SAID SECTION 4; THENCE S0°16'30"E, 574.79 FEET ALONG SAID EAST LINE OF SAID WEST 1/2 TO THE SOUTH LINE OF SAID NORTH 80 ACRES OF SAID WEST 1/2 OF SAID NORTHWEST FRACTIONAL 1/4; THENCE N89°29'15"W, 497.81 FEET, ALONG SAID SOUTH LINE OF SAID NORTH 80 ACRES TO THE POINT OF INTERSECTION OF SAID SOUTH LINE AND THE NORTHEASTERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY NO. 235; THENCE N75°21'40"W, 732.86 FEET ALONG SAID RIGHT OF WAY LINE; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE N33°47'33"W, 125.86 FEET TO THE POINT OF INTERSECTION OF SAID NORTHEASTERLY RIGHT OF WAY LINE AND THE EAST RIGHT OF WAY LINE OF 35TH STREET, WEST DES MOINES; THENCE NORTH 165.15 FEET ALONG SAID EAST RIGHT OF WAY LINE TO THE POINT OF BEGINNING, (EXCEPT THE EAST 48.5 FEET THEREOF, AND ALSO EXCEPT THAT PORTION CONDEMNED FOR STREET RIGHT OF WAY AS RECORDED IN BOOK 9954, PAGE 507) ALL BEING IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA.

EXCEPT PARCEL 2020-158 OF THE PLAT OF SURVEY FILED IN THE OFFICE OF THE RECORDER OF POLK COUNTY, IOWA ON NOVEMBER 19, 2020, AND RECORDED IN BOOK 18202 PAGE 5, AND REFILED ON DECEMBER 9, 2020 AND RE-RECORDED IN BOOK 18238 PAGE 984, BEING A PART OF THE NORTH 80 ACRES OF THE WEST 1/2 OF THE NORTHWEST FRACTIONAL 1/4 OF SECTION 4, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, POLK COUNTY, IOWA

WEST BANK HEADQUARTERS

WEST DES MOINES IOWA

SITE PLAN SUBMITTAL

City Project #: MaM-005517-2022

PLANS INCLUDED ARE FOR ILLUSTRATIVE PURPOSES ONLY - APPROVED PLANS ON FILE WITH THE CITY



HGA | 202 1ST AVENUE SW
 ROCHESTER, MINNESOTA 55902
 TELEPHONE: 507.281.8600

SHEET INDEX			
NUMBER	SHEET NAME	NUMBER	SHEET NAME
CIVIL		ARCHITECTURE	
C000	Site Survey-1	A020	Architectural Site Plan and Details
C000	Site Survey-2	A200	Interior Floor Plan - Level 00
C001	Civil Notes & Legend	A201	Interior Floor Plan - Level 01
C100	Erosion & Sediment Control Plan	A202	Interior Floor Plan - Level 02
C101	Erosion Control Details	A203	Interior Floor Plan - Level 03
C200	Site Demolition Plan	A204	C&S Floor Plan - Roof
C300	Site Layout & Surfacing Plan	A400	Overall Exterior Elevations
C400	Site Grading Plan	A401	Overall Exterior Elevations
C401	Enlarged Grading Plan - Area A	A402	Exterior Elevations
C402	Enlarged Grading Plan - Area B	A500	Exterior Renderings
C403	Enlarged Grading Plan - Area C	A501	Exterior Rallings
C404	Enlarged Grading Plan - Area D	ELECTRICAL	
C405	Enlarged Grading Plan - Area E	E030	Electrical Site Plan
C406	Enlarged Grading Plan - Area F	E031	Light Photometrics Site Plan
C500	Site Utility Plan	E200-1	Light Photometrics Plan - Level 00
C501	Enlarged Utility Plan - Area A	LANDSCAPE	
C502	Enlarged Utility Plan - Area B	L220	Layout & Materials Detail
C503	Enlarged Utility Plan - Area C	L400	Landscape Plan
C504	Enlarged Utility Plan - Area D	L420	Planting Details
C505	Enlarged Utility Plan - Area E	L440	Plant Materials Schedule
C506	Enlarged Utility Plan - Area F		
C900	Site Details		

ZONING REQUIREMENTS		
EXISTING LAND USE: REGIONAL COMMERCIAL		
EXISTING ZONING: PUD B&C BUSINESS AND COMMERCIAL PLANNED UNIT DEVELOPMENT		
PROPOSED ZONING: PCP, PROFESSIONAL COMMERCE PARK		
AREA SUMMARY: 7.71 ACRES (335,636 S.F.)		
SETBACKS: BUILDING:	FRONT = 50 FEET	
	SIDE = 50 FEET	
	REAR = 50 FEET	
PARKING:	FRONT = 15 FEET	
	SIDE = 15 FEET	
PARKING SUMMARY	REQUIRED	PROVIDED
STD. STALLS - 10'x18' TOTAL	219	127
TOTAL DEFERRED FOR FUTURE IF NEEDED		92
TOTAL PARKING STALLS	219	219

PROPERTY OWNER:

WEST BANK
 1601 22ND STREET
 WEST DES MOINES, IA 50266

PARKING SUMMARY BASED ON ORDINANCE REQUIREMENT OF 1 SPACE PER 300 SF OF GFA

65,680 GSF / 300 = 219
 10' WIDE SPACES ARE BEING USED
 127 SPACES PROVIDED

EXISTING BANK OF AMERICA BUILDING:
 APPROXIMATELY 5,000 GSF
 ORDINANCE REQUIREMENT OF 3 SPACES PER 1,000 GSF
 15 SPACES PROVIDED

HGA COMMISSION NUMBER: 3495-009-01
August 19, 2022



NO.	DESCRIPTION	DATE

HGA NO: 3495-009-00

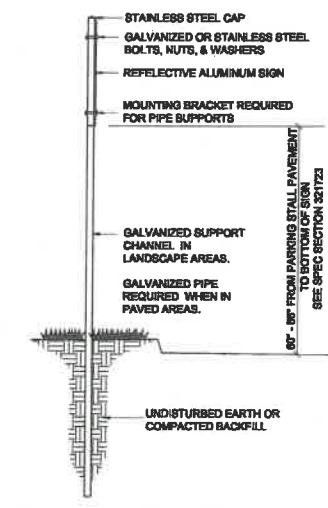
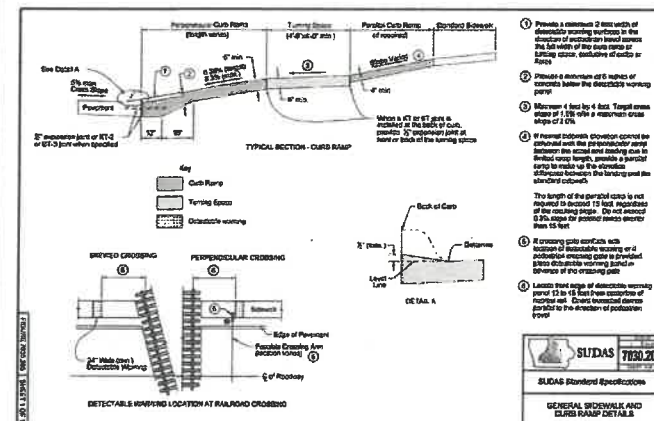
SITE
DETAILS

DATE: JUNE 10, 2022

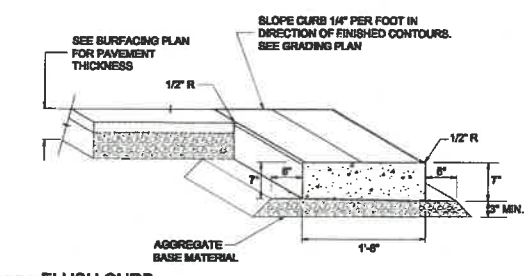
SITE PLAN SUBMITTAL

C900

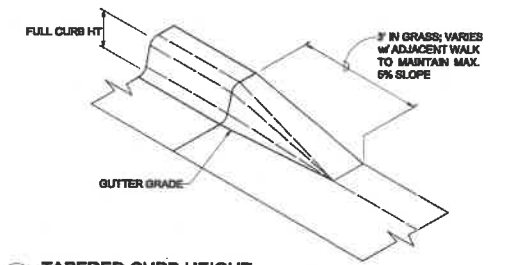
SITE PLAN SUBMITTAL
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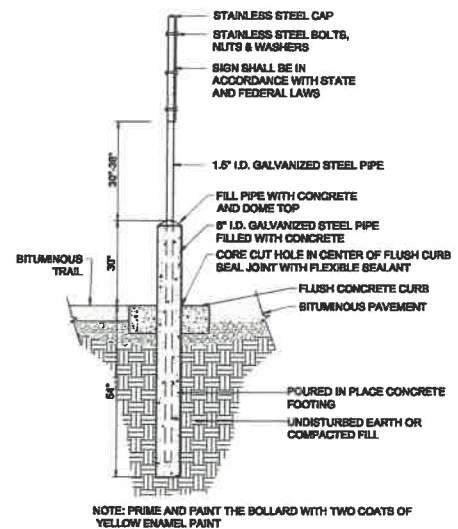
6 ADA PARKING STALL SIGN



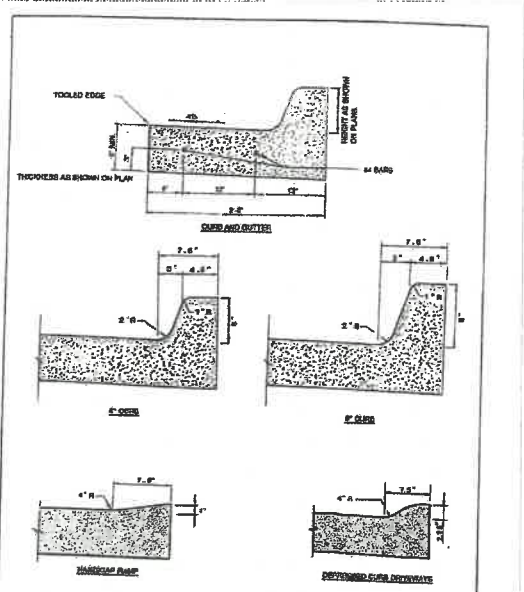
3 FLUSH CURB



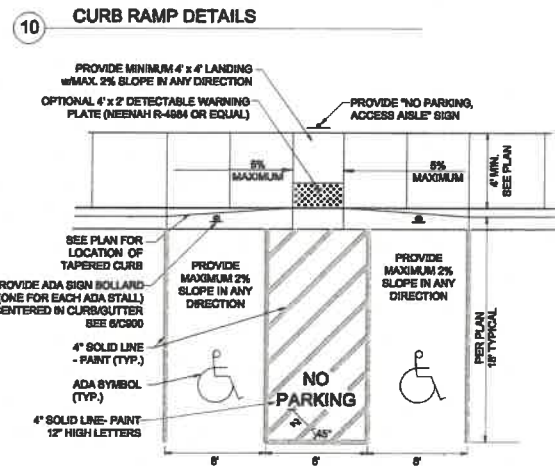
2 TAPERED CURB HEIGHT



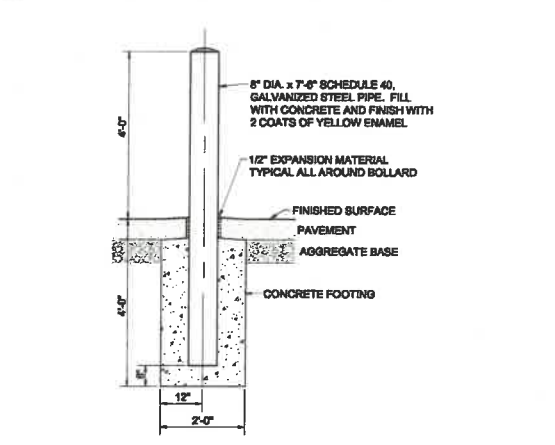
5 ADA SIGN BOLLARD



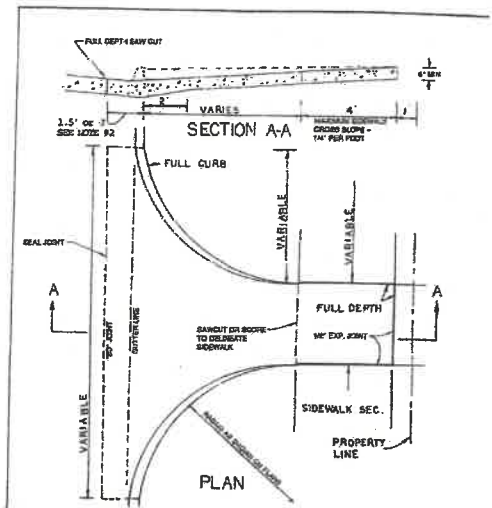
1 CURB DETAILS



10 CURB RAMP DETAILS



7 TRAFFIC BOLLARD



NOTES:
1. BEFORE THE CONCRETE IS PLACED, THE SAW CUT JOINTS SHALL BE COMPLETELY CLEANED OF ALL LOOSE CONCRETE OR FOREIGN MATERIAL.
2. SAW CUT AND REPAIRS SHALL BE SETTING CONCRETE PAVEMENT A WIDTH OF 2\"/>

3. SAW CUT PAVEMENT JOINTS IN GENERAL CONFORMANCE WITH PORTLAND CEMENT CONCRETE INSPECTION DETAILS.

CITY OF WEST DES MOINES
COMMERCIAL DRIVEWAY DETAIL
DESIGNED BY: [Signature]
DWG. NO. 7.18

9 COMMERCIAL DRIVEWAY DETAIL

CITY OF WEST DES MOINES
COMMERCIAL DRIVEWAY DETAIL

HGA

202 1st Avenue SW
Rochester, Minnesota 55902
Telephone 507.281.8600

CIVIL ENGINEER
LANDSCAPE ARCHITECT
ARCHITECT
INTERIOR DESIGN
MECHANICAL ENGINEER
PLUMBING ENGINEER
ELECTRICAL ENGINEER

WEST BANK
HEADQUARTERS

West Des Moines, Iowa



NOT FOR
CONSTRUCTION

NO	DESCRIPTION	DATE

HGA NO: 3495-009-00

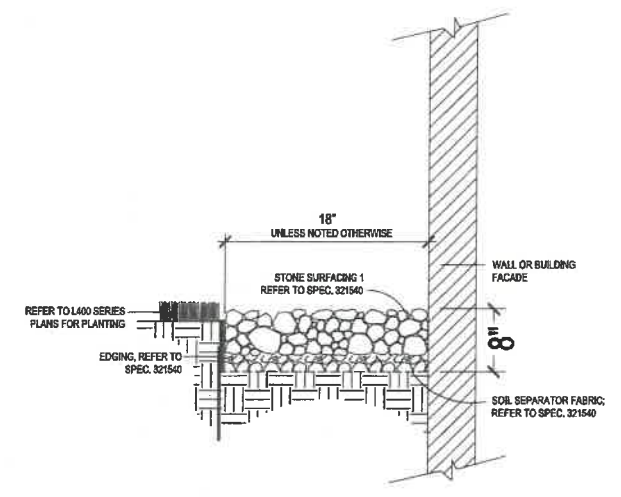
LAYOUT AND
MATERIALS
DETAILS

DATE: MAY 6, 2022

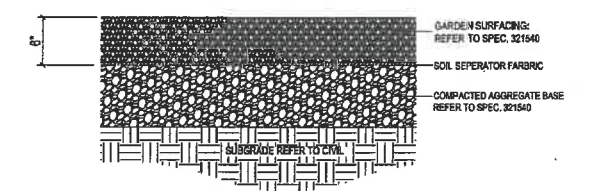
SITE PLAN SUBMITTAL

L220

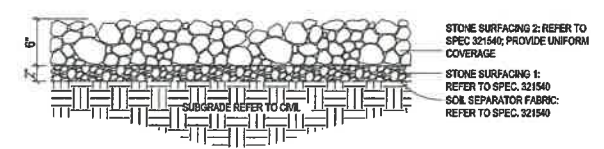
COPYRIGHT HANDEL, GREEN AND ABRAHAMSON, INC.



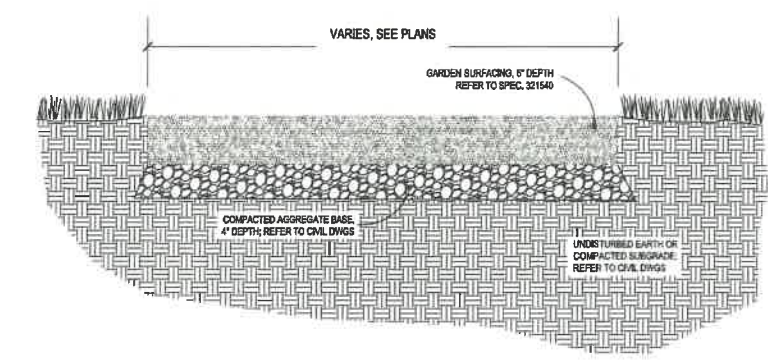
4 MAINTENANCE EDGE: SECTION
1/2" = 1'-0"



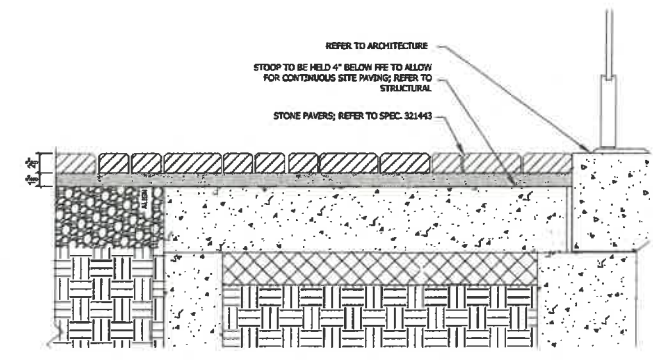
3 GARDEN SURFACING: SECTION
1/2" = 1'-0"



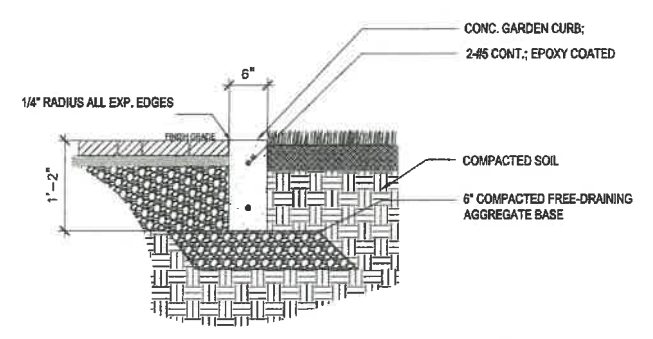
2 STONE SURFACING: SECTION
1/2" = 1'-0"



1 PATH SURFACING: SECTION
1/2" = 1'-0"

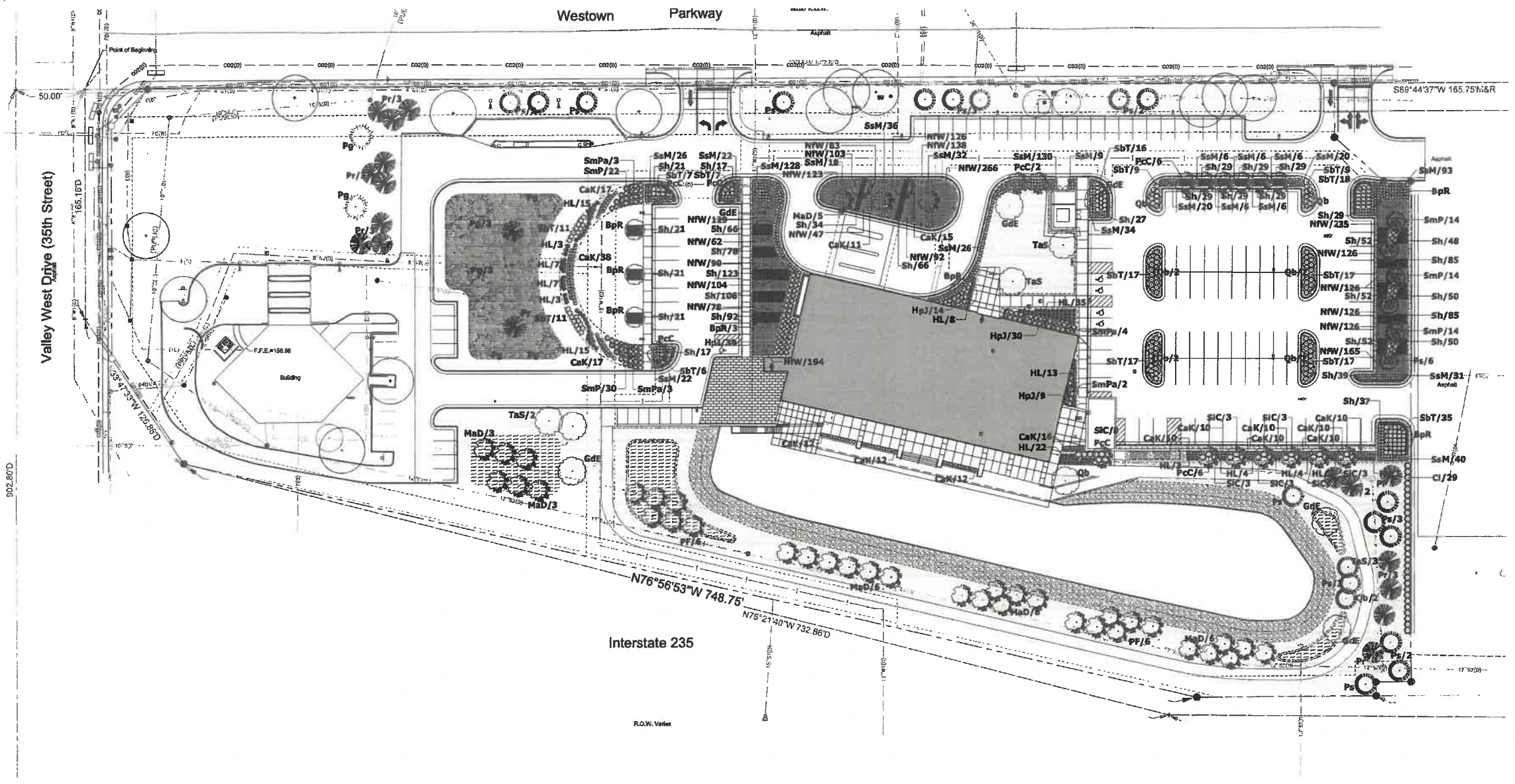


7 RECESSED STOOP AND PAVERS SECTION - TYPICAL
N/A



6 CONCRETE GARDEN CURB: SECTION
N/A

SITE PLAN SUBMITTAL



HGA

202 1st Avenue SW
Rochester, Minnesota 55902
Telephone 507.281.8600

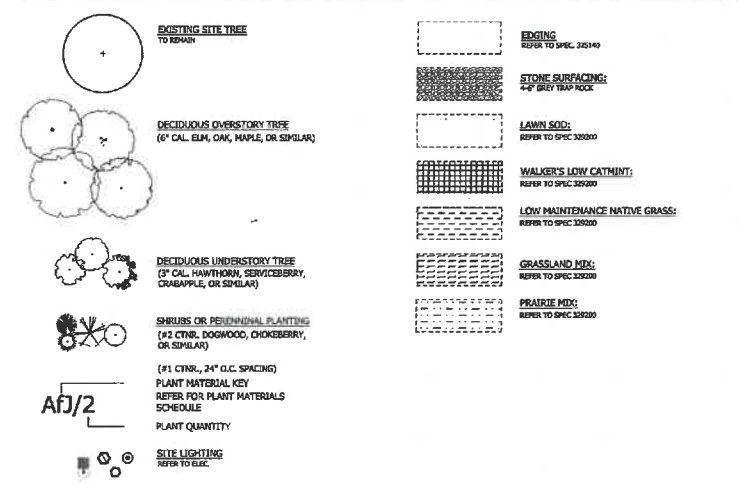
CIVIL ENGINEER
LANDSCAPE ARCHITECT
ARCHITECT
INTERIOR DESIGN
MECHANICAL ENGINEER
PLUMBING ENGINEER
ELECTRICAL ENGINEER

WEST BANK HEADQUARTERS

West Des Moines, Iowa



LEGEND



KEYNOTES

- MULCH: REFER TO SPEC. 320000
- LAWN: SEE ALL DISTURBED AREAS NOT IDENTIFIED AS SOD

NOTES:

- UTILIZE "CALL 811" UTILITY LOCATION PRIOR TO ALL EXCAVATION ACTIVITY.
- REFER TO CIVIL DRAWINGS FOR ADDITIONAL SITE INFORMATION. CONTRACTOR TO OBTAIN DIGITAL DRAWING FILE FOR LAYOUT AND LOCATION VERIFICATION.
- CONTRACTOR RESPONSIBLE FOR VERIFYING ALL QUANTITIES IF PLANT SPECIES ON SCHEDULE ARE NOT AVAILABLE CONTACT ARCHITECT AND THE DEVELOPMENT SERVICES DEPARTMENT AT THE CITY OF WEST DES MOINES, 515-222-3620 FOR SUBSTITUTIONS. CHANGES TO THE LOCATION OF MATERIALS ALSO NEED CITY APPROVAL.
- APPLICANT ACKNOWLEDGES TREES ARE TYPICALLY NOT ALLOWED IN PUBLIC WATER MAIN EASEMENTS. IF THE REMOVAL OF A TREE IS REQUIRED FOR EMERGENCY OR ROUTINE MAINTENANCE, WCDMWW WILL NOT BE REQUIRED TO RESTORE/REPLACE TREES.
- APPLICANT ACKNOWLEDGES TREES IN PUBLIC EASEMENTS WILL NOT BE REQUIRED TO BE RESTORED/REPLACED IF THE REMOVAL OF THE TREE IS REQUIRED FOR EMERGENCY REMOVAL OR REPLACEMENT.

NO	DESCRIPTION	DATE
1	ADDENDUM 1	02/22/2022

HGA NO: 3485-005-00

LANDSCAPE PLAN

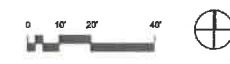
DATE: AUGUST 19, 2022

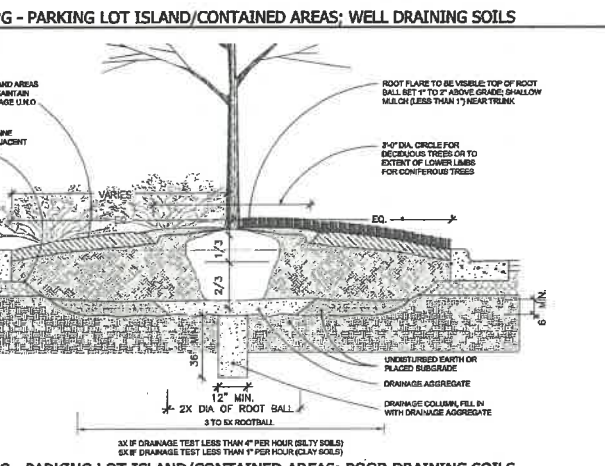
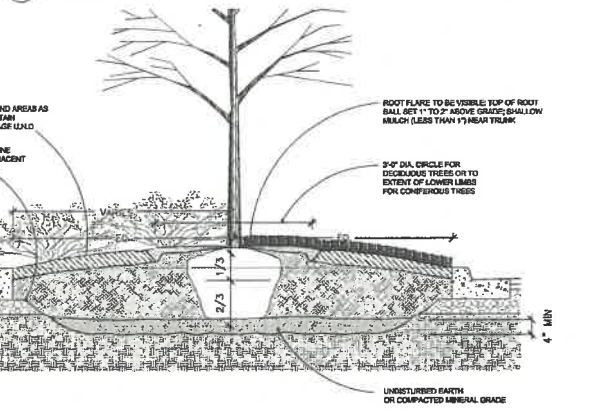
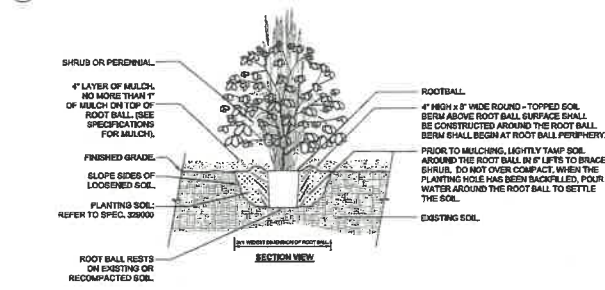
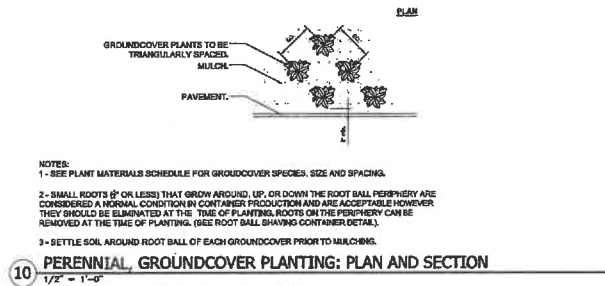
SITE PLAN SUBMITTAL

L400

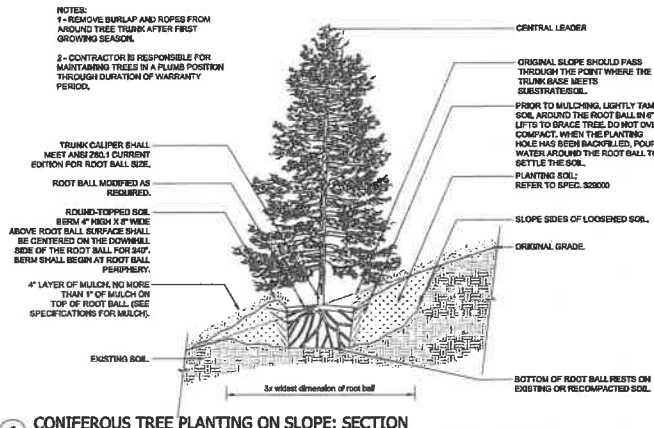
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SITE PLAN SUBMITTAL

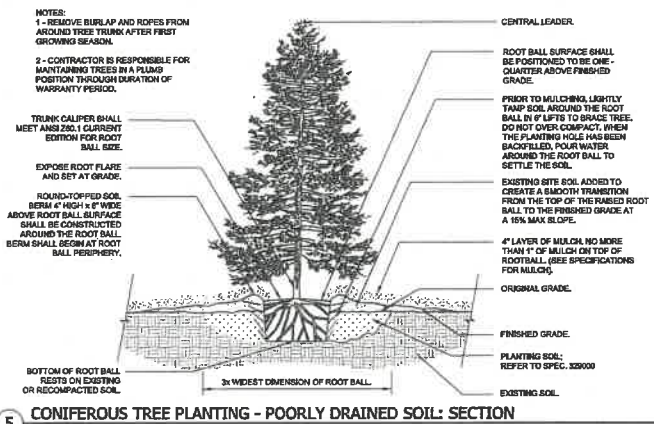




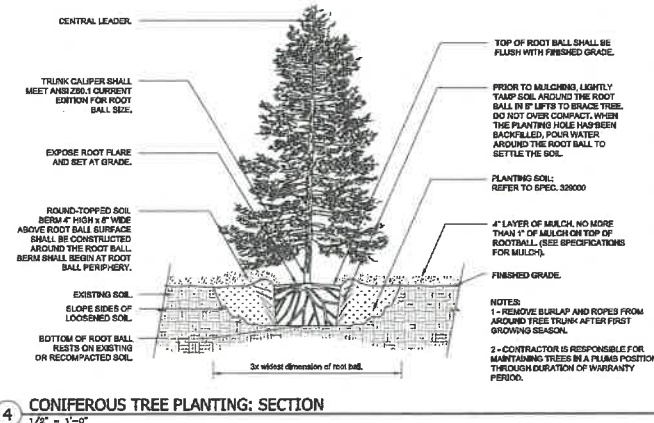
7 TREE PLANTING - PARKING LOT ISLAND/CONTAINED AREAS; POOR DRAINING SOILS
1/2" = 1'-0"



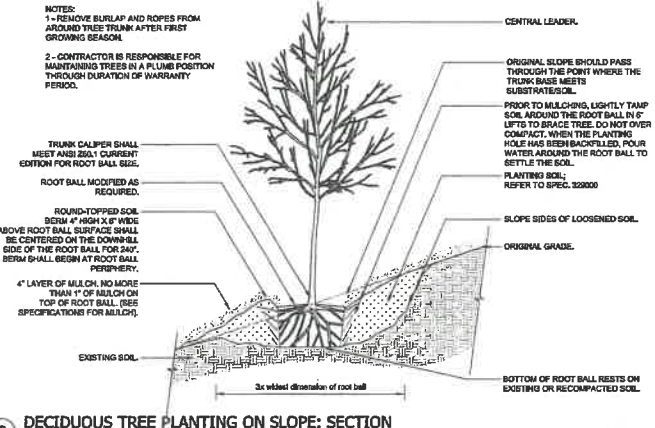
6 CONIFEROUS TREE PLANTING ON SLOPE: SECTION
1/2" = 1'-0"



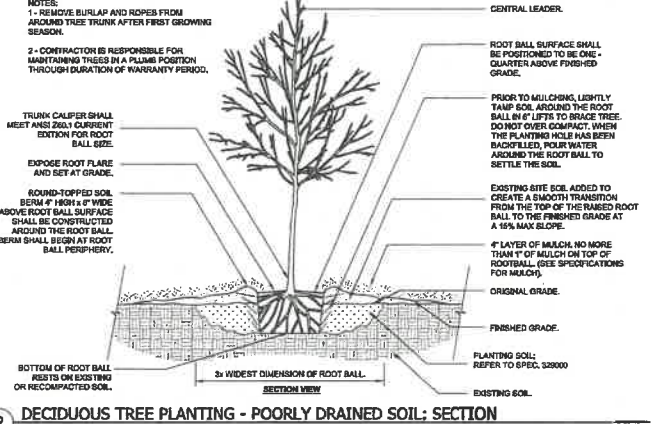
5 CONIFEROUS TREE PLANTING - POORLY DRAINED SOIL: SECTION
1/2" = 1'-0"



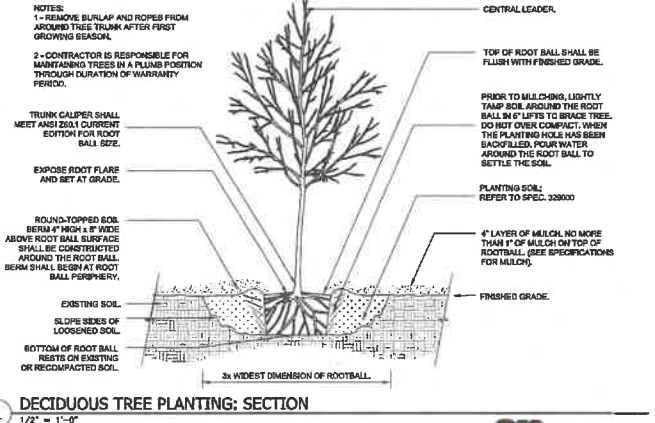
4 CONIFEROUS TREE PLANTING: SECTION
1/2" = 1'-0"



3 DECIDUOUS TREE PLANTING ON SLOPE: SECTION
1/2" = 1'-0"



2 DECIDUOUS TREE PLANTING - POORLY DRAINED SOIL: SECTION
1/2" = 1'-0"



1 DECIDUOUS TREE PLANTING: SECTION
1/2" = 1'-0"

NO	DESCRIPTION	DATE

HGA NO: 3485-009-00

PLANTING DETAILS

DATE: MAY 6, 2022

SITE PLAN SUBMITTAL

L420

SITE PLAN SUBMITTAL

PLANT MATERIALS SCHEDULE

DECIDUOUS TREES						
KEY	QTY.	COMMON / BOTANICAL NAME	SIZE	ROOT	SPACING	NOTES
BpR	9	Renaissance Reflection Paper Birch <i>Betula papyrifera 'Rena'</i>	12' ht.	B&B	as shown	Multi-Item; Matched; Tag
GE	6	Espresso Kentucky Coffeetree <i>Gymnocladia dioica 'Espresso-JFS'</i>	4" cal.	B&B	as shown	Tag
MaD	29	Gladstone Crabapple <i>Malus x edströmiana 'Dario'</i>	2" cal.	B&B	as shown	Tag
PcC	18	Crimson Pointe Plum <i>Prunus cerasifera 'Crispizani'</i>	2" cal.	B&B	as shown	Tag
PF	12	Mount St. Helen's Plum <i>Prunus 'Franktown'</i>	2" cal.	B&B	as shown	Tag
Qb	12	Swarmp White Oak <i>Quercus bicolor</i>	6" cal.	B&B	as shown	Tag
SrPa	12	Dwarf Korean Lilac Tree <i>Syringa meyeri 'Palmer'</i>	1.5" cal.	B&B	as shown	Tag
TaS	4	Sentry American Linden <i>Tilia americana 'McKStentz'</i>	6" cal.	B&B	as shown	Tag
CONIFEROUS TREES						
KEY	QTY.	COMMON / BOTANICAL NAME	SIZE	ROOT	SPACING	NOTES
Pg	11	Black Hills Spruce <i>Picea glauca densata</i>	8' ht.	B&B	as shown	Tag
Pr	26	Norway Pine <i>Pinus resinosa</i>	8' ht.	B&B	as shown	Tag
Ps	25	Scotch Pine <i>Pinus sylvestris</i>	8' ht.	B&B	as shown	Tag
DECIDUOUS SHRUBS						
KEY	QTY.	COMMON / BOTANICAL NAME	SIZE	ROOT	SPACING	NOTES
CI	29	Hedge Coleonaster <i>Coleonaster lucidus</i>	#5	Ctr.	as shown	
HpJ	92	Little Lime Hydrangea <i>Hydrangea paniculata 'Jana'</i>	#5	Ctr.	as shown	
SIC	26	Crispa Cutleaf Stephanandra <i>Stephanandra incisa 'Crispa'</i>	#2	Ctr.	as shown	
SdT	162	Glow Girl Spirea <i>Spiraea betulifolia 'TorGold' (PPAF)</i>	#2	Ctr.	as shown	
SrP	42	Dwarf Korean Lilac <i>Syringa meyeri 'Palmer'</i>	#5	Ctr.	as shown	
PERENNIALS AND ORNAMENTAL GRASSES						
KEY	QTY.	COMMON / BOTANICAL NAME	SIZE	ROOT	SPACING	NOTES
CaK	220	Karl Foerster Feather Reed Grass <i>Calamagrostis x acutiflora 'Karl Foerster'</i>	#1	Ctr.	as shown	
HL	153	Lavender Blue Baby Daylily <i>Hemerocallis 'Lavender Blue Baby'</i>	#1	Ctr.	as shown	
NW	2539	Walker's Low Campanula <i>Nepeta x hussoides 'Walker's Low'</i>	#1	Ctr.	as shown	
PqE	6	Englemann Ivy <i>Parthenocissus quinquefolia var. engelmannii</i>	#1	Ctr.	as shown	
Sh	2132	Funkia Dropsseed <i>Sporobolus heterolepis</i>	#1	Ctr.	as shown	
SsM	733	Blue Heaven Bluestem <i>Schizachyrium scoparium 'MistBlue' PP 17,310</i>	#1	Ctr.	as shown	

TOTAL SITE AREA (GROSS SQ. FT.)	335,636 SQ. FT.
TOTAL REQUIRED OPEN SPACE (25% OF GROSS SQ. FT.)	83,909 SQ. FT.
TOTAL SITE TREES	166
# OF TREES TO OPEN SPACE	3 TREES FOR EVERY 1000 SQ. FT. OF OPEN SPACE
TOTAL CONIFERS	64
TOTAL SITE SHRUBS	351
# OF SHRUBS TO OPEN SPACE	4.2 SHRUBS FOR EVERY 1000 SQ. FT. OF OPEN SPACE

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WEST BANK
HEADQUARTERS
West Des Moines, Iowa



NO	DESCRIPTION	DATE

HGA NO: 3495-009-00

PLANT MATERIALS SCHEDULE

DATE: AUGUST 19, 2022
SITE PLAN SUBMITTAL

L440

SITE PLAN SUBMITTAL

SITE PLAN LEGEND

SEE A010 FOR ALL GENERAL NOTES, ABBREVIATIONS, AND SYMBOLS

ACCESSIBLE PATH OF TRAVEL

EXIT DISCHARGE

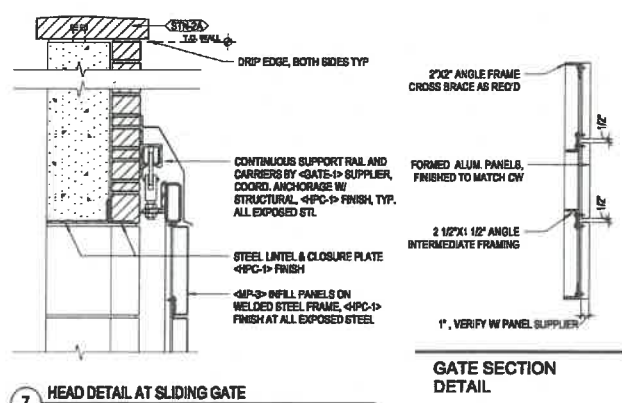
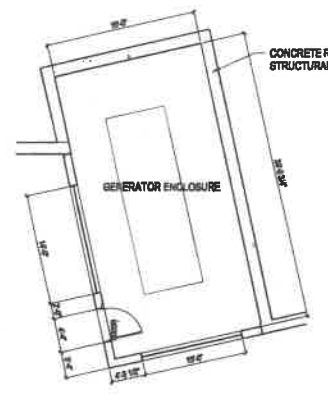
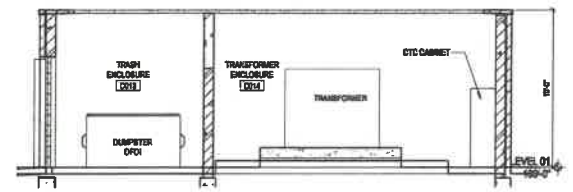
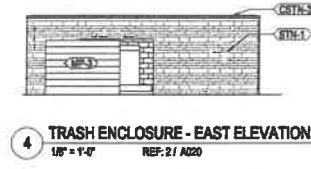
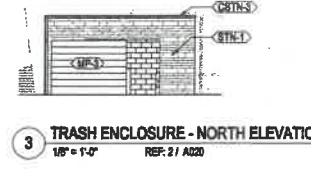
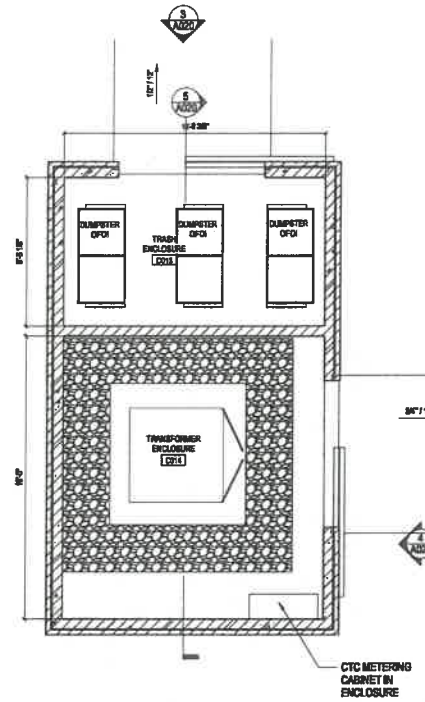
AREA OF WORK

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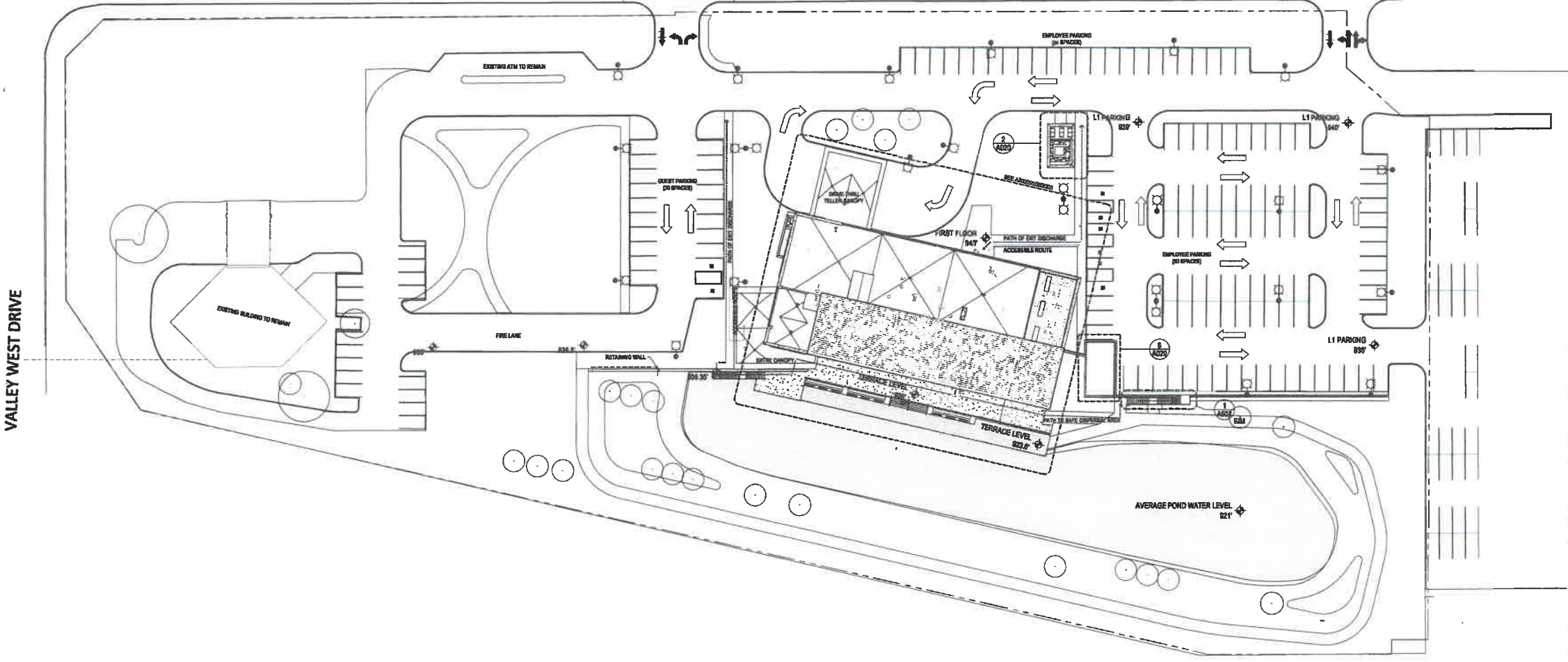


2 TRASH ENCLOSURE PLAN
1/4" = 1'-0"
REF: 1/1 A020

5 SECTION AT TRASH ENCLOSURE
1/4" = 1'-0"
REF: 2/1 A020

6 GENERATOR ENCLOSURE
1/8" = 1'-0"
REF: 1/1 A020

7 HEAD DETAIL AT SLIDING GATE



1 SITE PLAN
1" = 30'-0"
REF: 0/1 A020

NO.	DESCRIPTION	DATE

HGA NO: 3495-009-00

ARCHITECTURAL SITE PLANS AND DETAILS

DATE: JUNE 10, 2022

SITE PLAN SUBMITTAL

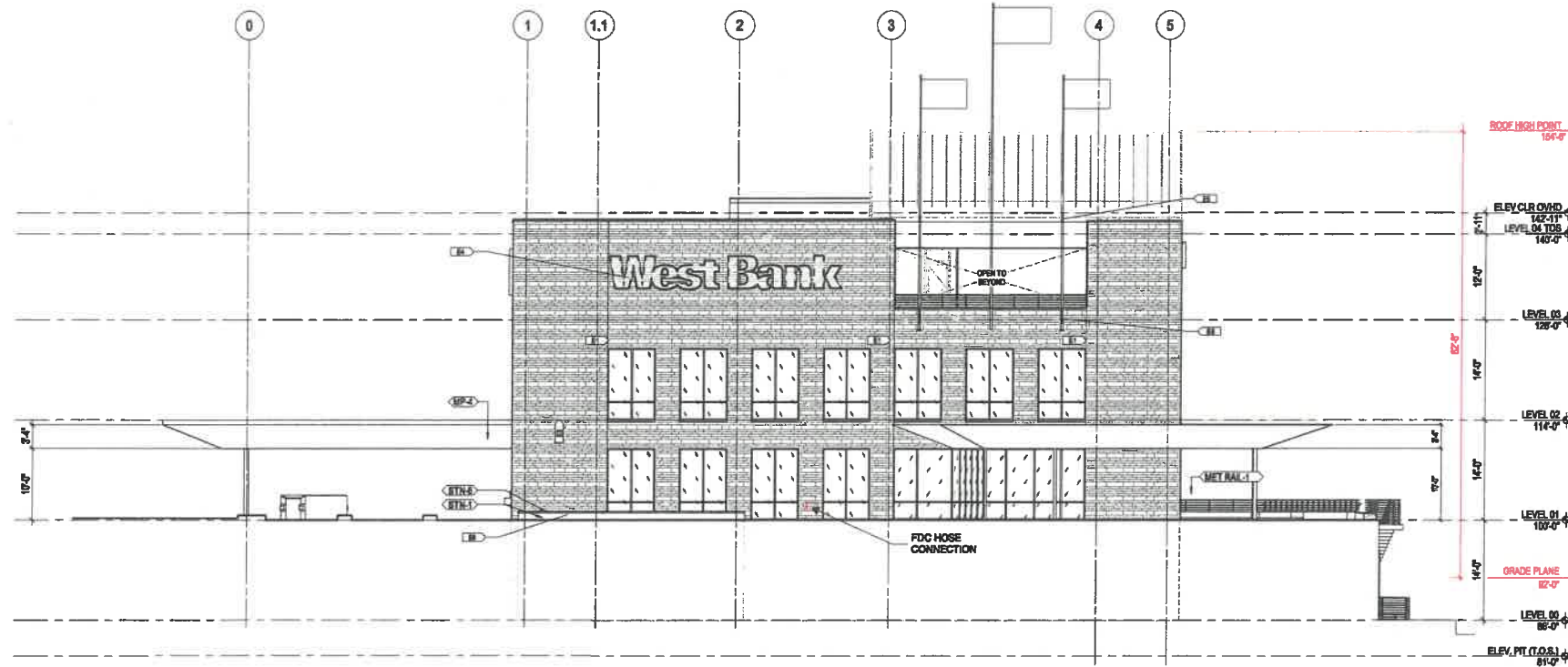
A020

SITE PLAN SUBMITTAL

VALLEY WEST DRIVE

WESTOWN PARKWAY

AVERAGE POND WATER LEVEL
82'1"



1 OVERALL - WEST ELEVATION
1/8" = 1'-0" REF: 11 A201



2 OVERALL - NORTH ELEVATION
1/8" = 1'-0" REF: 11 A201

#	DESCRIPTION
E1	VERTICAL CONTROL JOINT
E2	HORIZONTAL CONTROL JOINT
E3	PRE-MANUFACTURED TELLER WINDOW
E4	BUILDING SIGNAGE BY OWNER TYPICAL - SEE STRUCTURAL FOR BACKING LOCATION / SUPPORT METHOD FOR SIGNAGE BY OTHERS
E5	FLAG POLE CONNECTION - SEE STRUCTURAL
E6	MECHANICAL AREA WELL
E7	DROP-BOX UNIT BY OTHERS

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ELECTRICAL ENGINEER

WEST BANK
HEADQUARTERS
West Des Moines, Iowa



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NO. DESCRIPTION DATE

NO.	DESCRIPTION	DATE

HGA NO: 2495-009-00

OVERALL
EXTERIOR
ELEVATIONS

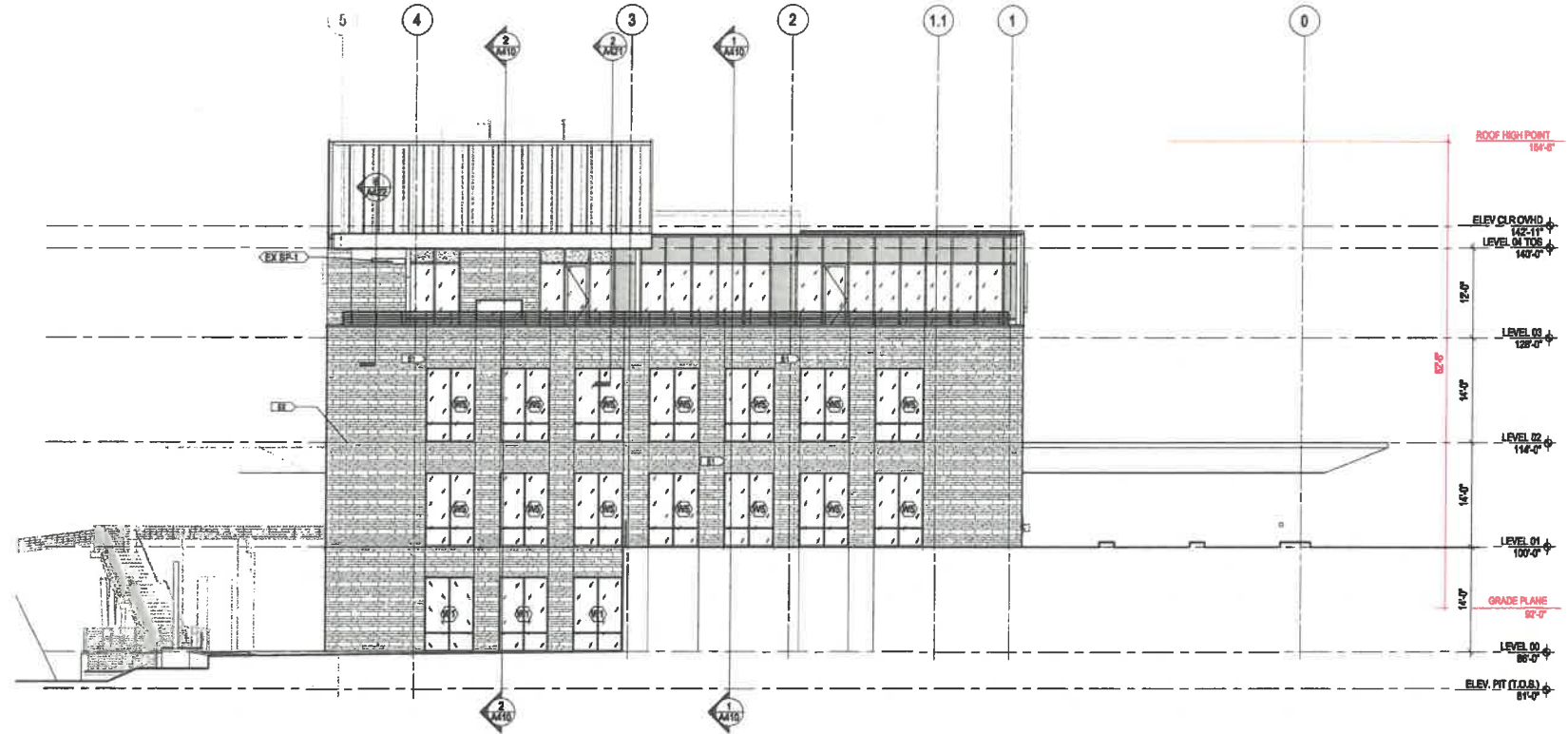
DATE: JUNE 10, 2022

SITE PLAN SUBMITTAL

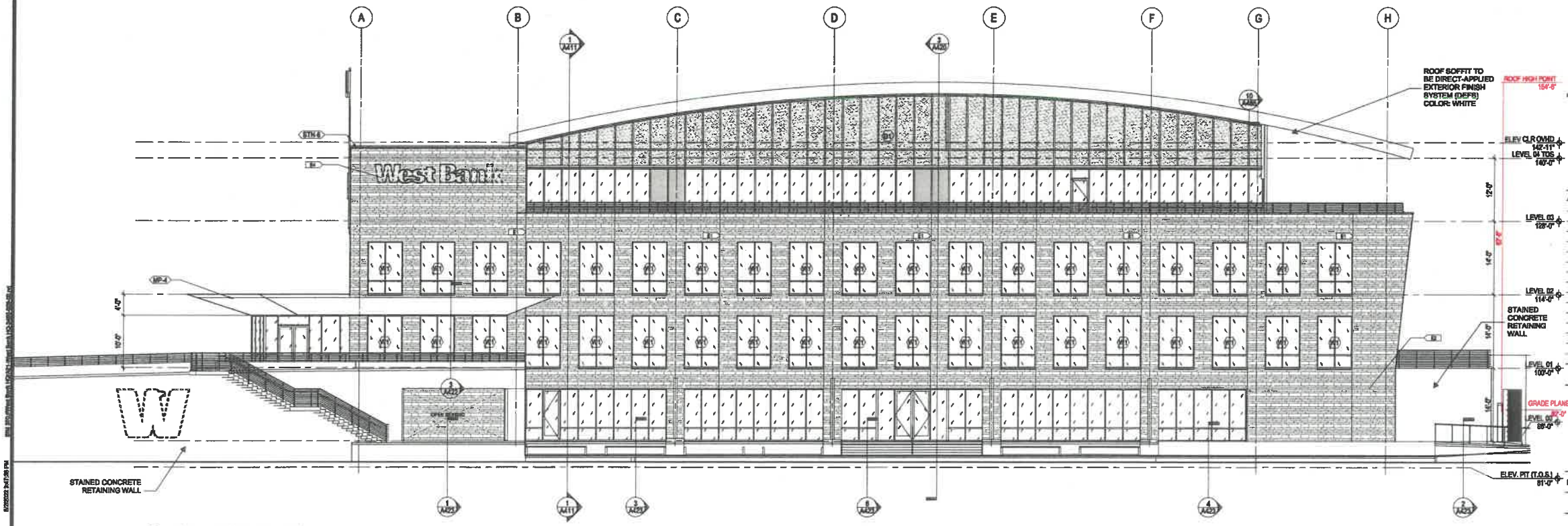
A400

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SITE PLAN SUBMITTAL



1 OVERALL - EAST ELEVATION
1/8" = 1'-0" REF: 1 / A200



2 OVERALL - SOUTH ELEVATION
1/8" = 1'-0" REF: 1 / A200

KEYNOTES

#	DESCRIPTION
E1	VERTICAL CONTROL JOINT
E2	HORIZONTAL CONTROL JOINT
E4	BUILDING SIGNAGE BY OWNER, TYPICAL - SEE STRUCTURAL FOR BACKING LOCATION / SUPPORT METHOD FOR SIGNAGE BY OTHERS

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ROOF SOFFIT TO BE DIRECT-APPLIED EXTERIOR FINISH SYSTEM (DEFS) COLOR: WHITE

ELEV. CL. GROUND 142'-11"
LEVEL 04 T.O.S. 147'-0"

LEVEL 03 128'-0"

LEVEL 02 114'-0"

LEVEL 01 100'-0"

GRADE PLANE 82'-0"

ELEV. FT. (T.O.S.) 81'-0"

STAINED CONCRETE RETAINING WALL

NO DESCRIPTION DATE

HGA NO: 2425-009-00

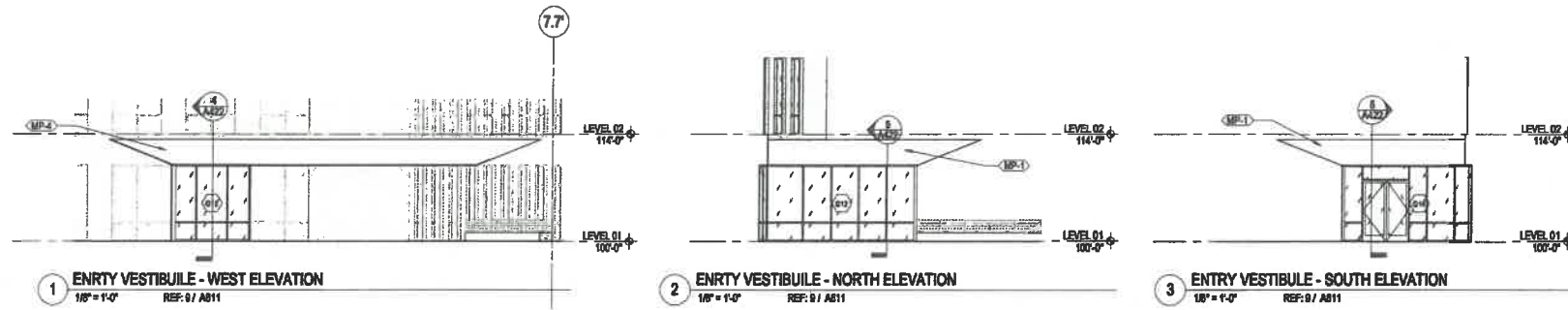
DATE: JUNE 10, 2022

SITE PLAN SUBMITTAL

A401

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SITE PLAN SUBMITTAL



KEYNOTES

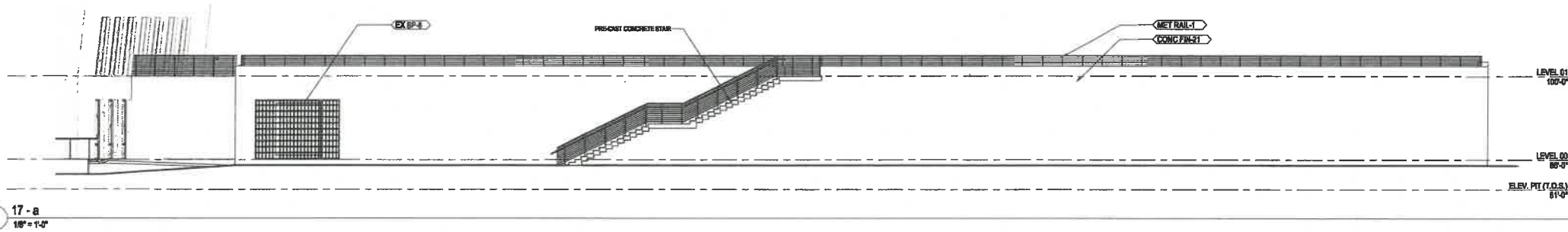
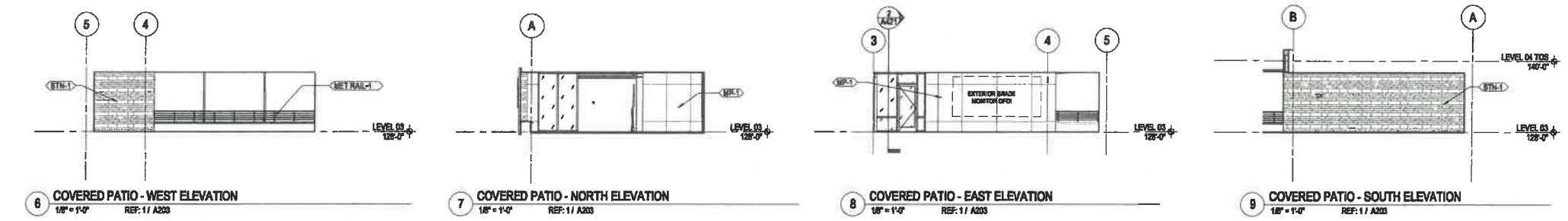
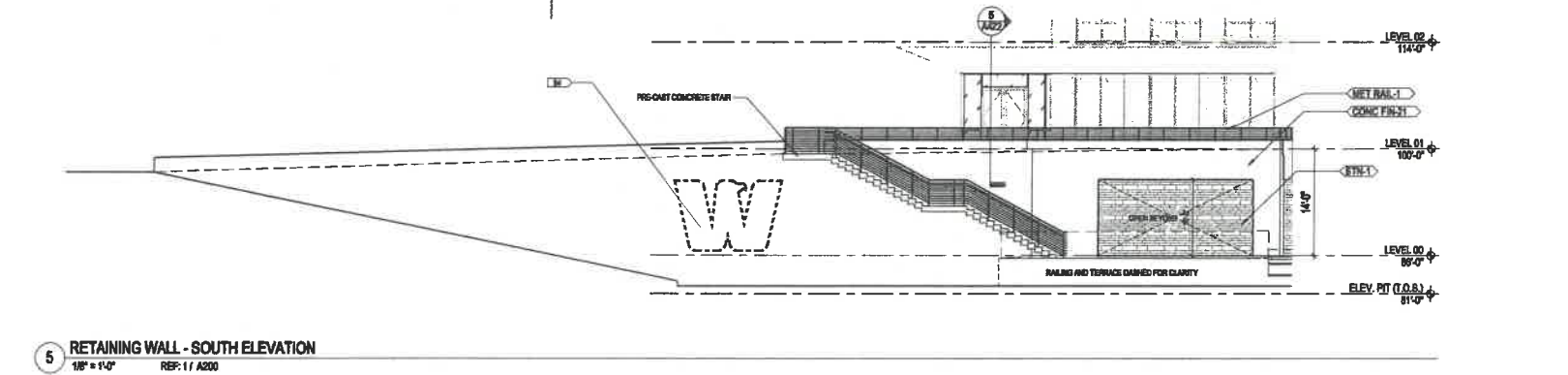
#	DESCRIPTION
84	BUILDING SIGNAGE BY OWNER. TYPICAL - SEE STRUCTURAL FOR BACKING LOCATION / SUPPORT METHOD FOR SIGNAGE BY OTHERS

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10/18/2021 10:00:18 AM
 H:\2022\10-08-21\18 AM

REVISIONS

NO	DESCRIPTION	DATE

HGA NO: 3495-009-00

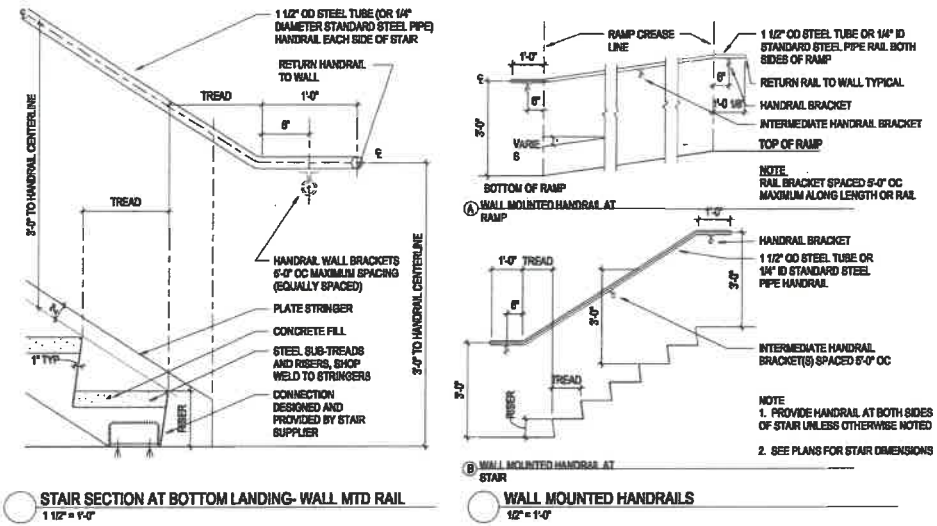
EXTERIOR ELEVATIONS

DATE: JUNE 10, 2022

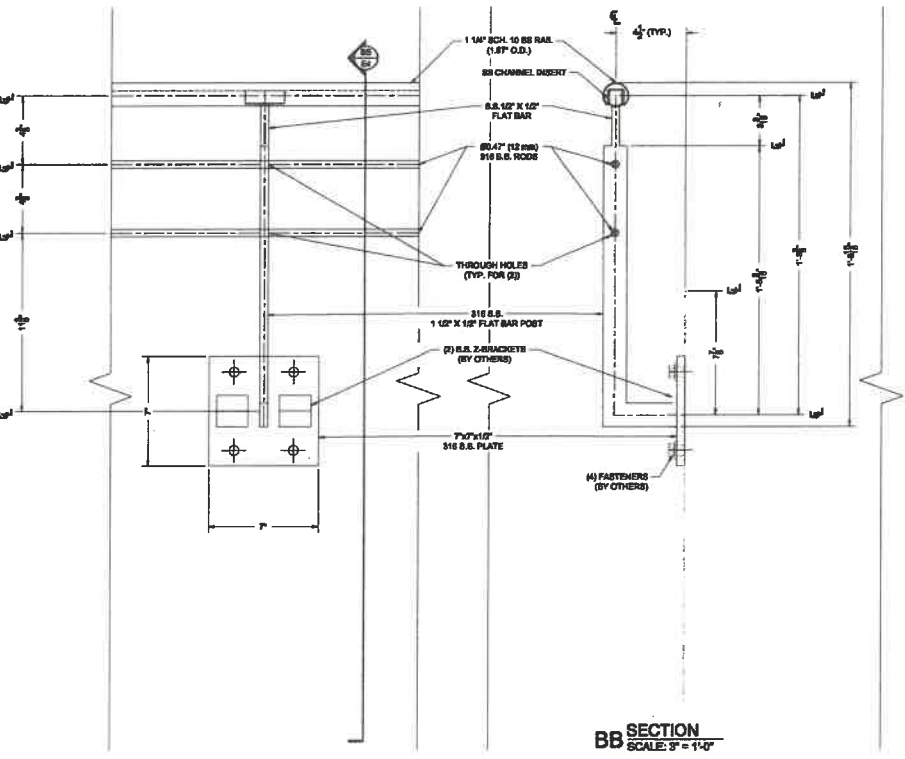
SITE PLAN SUBMITTAL

A402

SITE PLAN SUBMITTAL



TYPICAL METAL WALL MOUNTED HANDRAIL AT EXTERIOR STAIR AND RETAINING WALL



TYPICAL RAILING AT TOP OF RETAINING WALL - SIMILAR AT EXTERIOR STAIR OUTSIDE



BASIS OF DESIGN

LUMENLINEAR™
 SYMMETRIC
 Another Lumenrail®
 Component for Life
 Safety and Light

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NOT FOR CONSTRUCTION

NO	DESCRIPTION	DATE

HGA NO: 2485-009-00

**EXTERIOR
 DETAILS**

DATE: JUNE 10, 2022
 SITE PLAN SUBMITTAL

A501

SITE PLAN SUBMITTAL

GENERAL NOTES

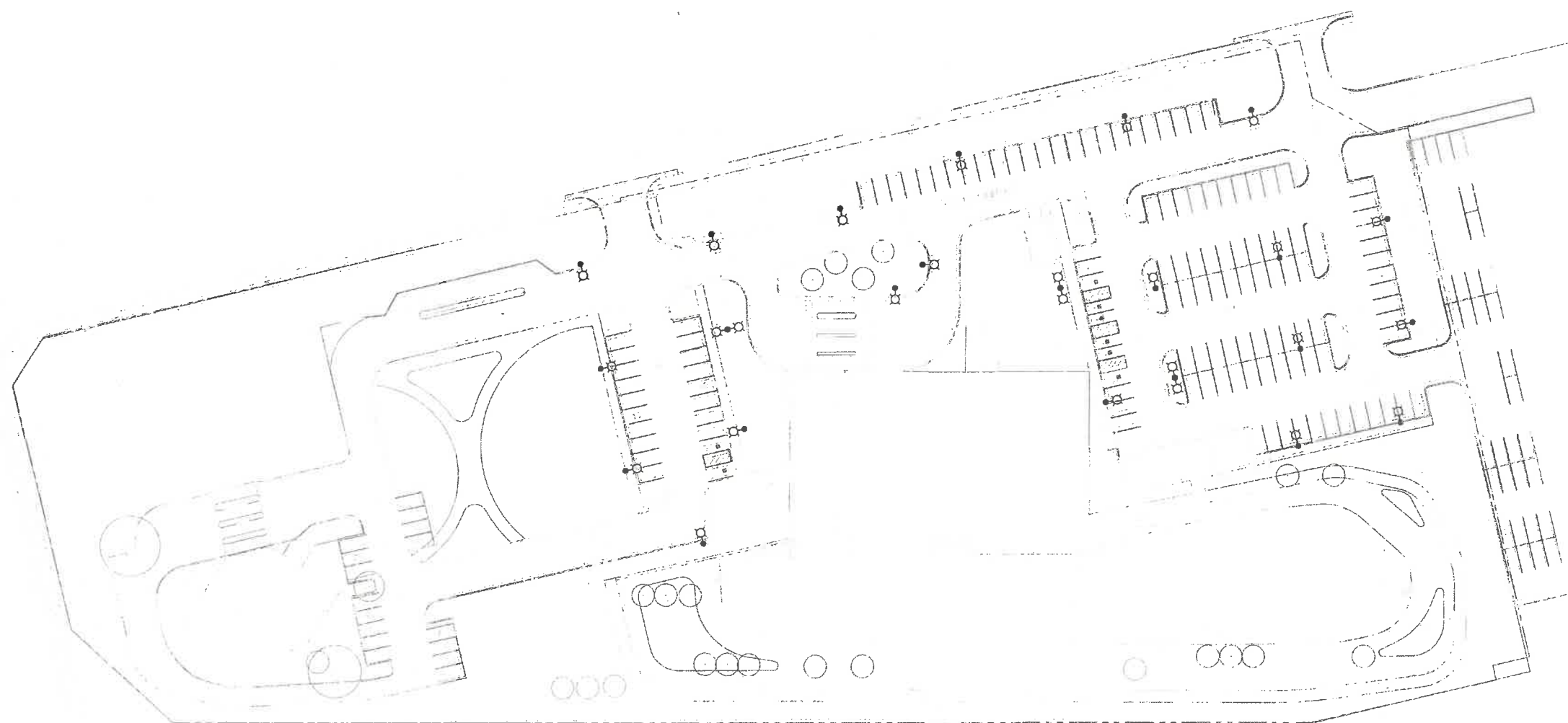
- A. SITE UTILITY SCOPE TO BE COORDINATED WITH (INSERT LOCAL UTILITY).
- B. REFER TO GROUNDING PLAN FOR GROUNDING REQUIREMENTS.
- C. REFER TO ELECTRICAL DETAILS SHEETS FOR POLE BASE INFORMATION, LIGHTING CONTROL DIAGRAMS, AND ZONE SCHEDULES.
- D. CONDUIT ROUTES AS SHOWN ARE DIAGRAMMATIC IN NATURE. FIELD VERIFY ACTUAL CONDUIT ROUTES PRIOR TO INSTALLING CONDUIT. PULL BOXES PROVIDE PULL BOXES FOR SITE CABLING AS REQUIRED, BUT NOT TO EXCEED MORE THAN 300' BETWEEN BOXES.

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West Des Moines, Iowa



NO	DESCRIPTION	DATE

REVISION HISTORY - THIS SHEET
HGA NO: 0495-000-00

**ELECTRICAL
SITE PLAN**

DATE: MAY 6, 2022
SITE PLAN SUBMITTAL

E030

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1 LIGHTING PHOTOMETRIC SITE PLAN
30'-0"

SITE PLAN SUBMITTAL

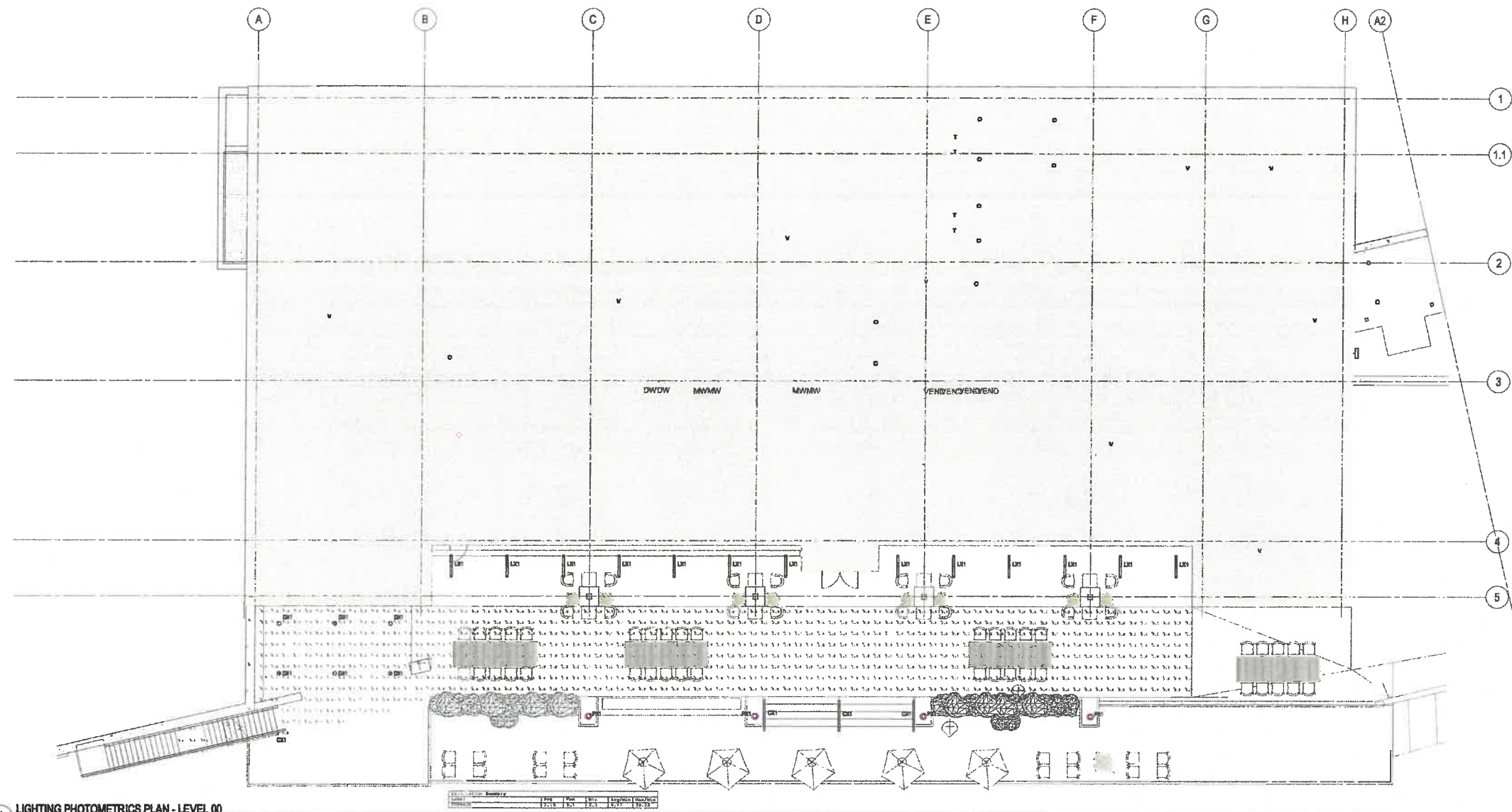
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1 LIGHTING PHOTOMETRICS PLAN - LEVEL 00
1/8" = 1'-0"

NO	DESCRIPTION	DATE

HGA NO: 2466-000-00

DATE: MAY 6, 2022

LIGHTING PHOTOMETRICS PLAN - LEVEL 00

SITE PLAN SUBMITTAL



E200.1

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SITE PLAN SUBMITTAL

Prepared by: Brian Portz, 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

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, APPROVING A SITE PLAN TO ALLOW CONSTRUCTION OF A 4 STORY OFFICE AND BANK BUILDING

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the applicant and property owner West Bank, requests approval of a Site Plan for that property generally located at 3330 Westown Parkway and legally described in attached Exhibit 'B' for the purpose of constructing a four-story office and bank building; 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, the Full Site Plan complies with findings stated in the applicable provisions of Title 9, Chapter 1, Subsection 8, the Comprehensive Plan and City Code.

WHEREAS, on September 12, 2022, the Plan and Zoning Commission recommended to the City Council, by a ~~X-X~~ vote, for approval of the Site Plan; and

WHEREAS, on this day the City Council held a duly noticed meeting to consider the application for the Site Plan.

NOW, THEREFORE, The City Council does approve the West Bank Full Site Plan (MaM-005517-2022), subject to compliance with all of the conditions of approval, including any conditions added at the meeting, attached hereto as Exhibit "A". Violation of any such conditions shall be grounds for revocation of the permit, as well as any other remedy which is available to the City.

PASSED AND ADOPTED on September 13, 2022.

Russ Trimble, Mayor

ATTEST:

Ryan Jacobson, City Clerk

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of West Des Moines, Iowa, at a regular meeting held on September 13, 2022, by the following vote.

Exhibit A: Conditions of Approval

1. The applicant acknowledges and agrees that it shall deed 20 feet of right of way to the City as a part of this site plan approval. The right of way shall be deeded to the City prior to any occupancy being issued for the proposed office building.
2. The applicant acknowledges and agrees that prior to any occupancy being issued for the building, the Storm Water Management Facility Maintenance Agreement needs to be executed and provided to the City, including as built drawings and certifications of the constructed storm water facilities to be provided to the City for staff review and approval.
3. The applicant acknowledges and agrees that prior to any occupancy being issued for the building, easements for water mains need to be executed and returned to the City.

Exhibit B: Legal Description

That Part of the North 80 Acres of the West 1/2 of the Northwest Fractional 1/4 of Section 4, Township 78 North, Range 25 West of the 5th P.M., West Des Moines, Polk County, Iowa, described as follows:

Commencing at the West 1/4 Corner of said Section 4; thence North 902.8 feet along the West line of said Section 4; thence East, 50.0 feet to the point of beginning; thence continuing East 1063.72 feet; thence along a curved line, concave Northwesterly, having a radius of 250.0 feet and a chord bearing of N61°18'45"E, an arc distance of 250.34 feet to the point of intersection of said curved line and the East line of the West 1/2 of said Northwest Fractional 1/4 of said Section 4; thence S0°16'30"E, 574.79 feet along said East line of said West 1/2 to the South line of said North 80 Acres of said West 1/2 of said Northwest Fractional 1/4; thence N89°29'15"W, 497.81 feet, along said South line of said North 80 Acres to the point of intersection of said South line and the Northeasterly Right Of Way line of interstate Highway No. 235; thence N75°21'40"W, 732.86 feet along said Right Of Way line; thence continuing along said Right Of Way line N33°47'33"W, 125.86 feet to the point of intersection of said Northeasterly Right Of Way line and the East Right Of Way line of 35th Street, West Des Moines; thence North 165.15 feet along said East Right Of Way line to the point of beginning, (except the East 48.5 feet thereof, and also except that portion condemned for street right of way as recorded in Book 9954, Page 507) all being in and forming a part of the City of West Des Moines, Polk County, Iowa.

Except Parcel 2020-158 of the Plat of Survey filed in the office of the Recorder of Polk County, Iowa on November 19, 2020, and recorded in Book 18202 Page 5, and refiled on December 9, 2020, and re-recorded in Book 18238 Page 984, being a part of the North 80 Acres of the West 1/2 of the Northwest Fractional 1/4 of Section 4, Township 78 North, Range 25 West of the 5th P.M., City of West Des Moines, Polk County, Iowa.

CITY OF WEST DES MOINES STAFF REPORT COMMUNICATION

Meeting Date: September 13, 2022

ITEM: Comprehensive Plan Amendment – Approve Update to the Comprehensive Plan and Land Use Map – City Initiated - CPA-005581-2022

RESOLUTION: Approval of an Update to Comprehensive Plan and Land Use Map

Development Services staff is requesting approval of an update to the Comprehensive Plan and Land Use Map in its entirety. City Staff has spent the last four years preparing a new comprehensive plan to guide the community as we continue to grow and develop over the course of the next 20 years.

As provided in the Comprehensive Plan Preface – Purpose + Intent section, “At its most basic, a comprehensive plan is a statement of aspirations of the community. The plan provides guidance for the location, form, and function of growth and development, and the overall creation of a quality community. Differing from previous Comprehensive Plans for the City of West Des Moines that focused primarily on land use, transportation and infrastructure, this Comprehensive Plan goes beyond what land uses go where and the pipes and pavement which connect those land uses and embraces quality of life aspects that collectively shape the type of community West Des Moines is to be. It identifies the actions to be taken and partnerships to be created and strengthened to improve the quality of life, guide long range decisions, and to deliberately direct where West Des Moines wants to be in the future. From connectivity of streets, trails and bikeways – to diversifying the local economy and job opportunities – to ensuring equal access to housing and education – to furthering community character, health and fostering social vibrancy, this plan addresses all aspects of life in West Des Moines.

All too often, plans such as this are created, a box is checked, and the plan sits on a shelf. A primary goal with the development of this plan was to create an implementable document – one that instead of a list of policy statements with no measures to implement, utilizes actionable items targeted at developing applicable programs and policies to realize the goals and strategies laid out in the plan. This plan was developed to work hand-in-hand with the identified goals and policies of other, more specific plans which the City adopts from time to time such as, WDM2036 Vision and the associated 2036 Action Plan, other department plans including but not limited to Park and Trail Master Plans, Transportation Master Plan and the Library Master Plan.

Additionally, this plan is intended to be a budgetary tool enabling the check of intended programs and financial decisions for alignment with furthering achievement of the strategies and goals included in the plan. Our Comprehensive Plan is intended to be a strategic plan for the city to realize the community we desire to be.”

Key Aspects: Documents and plans may be found at the following link: <https://ourwdm.com/revised-final-draft-of-the-comprehensive-plan>

1. Comprehensive Plan Document: The overall makeup of the comprehensive plan is divided into four parts: the main document and three companion documents, an Action Plan, Community Profile and Outreach & Engagement.

- Main Document: The main document is the key component of the comprehensive plan. It is structured around eight main aspects and provides the information needed to make community-focused decisions for creating the future of West Des Moines:
 1. Community Design (pg. 15) – focuses on how our community looks and feels.
 2. Housing & Neighborhoods (pg. 21) – focuses on ensuring our community is a great place to live for all.
 3. Sustainability & Resiliency (pg. 25) – focuses on protecting and planning for environmental factors – locally, regionally and globally.
 4. Transportation & Infrastructure (pg. 30) – focuses on community mobility, facilities and growth considerations for both the transportation and infrastructure networks.
 5. Engagement & Wellness (pg. 35) – focuses on promoting healthy lifestyles, activities and awareness.
 6. Diversity, Equity & Inclusivity (pg. 41) – focuses on ensuring our community is welcoming, person-centered and inclusive of all identities, ages, abilities and histories.
 7. Economic Prosperity (pg. 46) – focuses on financial factors affecting resident and community vitality.
 8. Land Use (pg. 52) – focuses on managing our built and natural environment.

Each of the topics were vetted through a series of focus groups to better understand what aspects were of importance. This information was then organized into Goals, Strategies, and Action statements within the plan.

- Action Plan: Although the currently adopted 2010 Comprehensive Plan includes policy statements, with exception to changes to the land use map, the main document is only taken off the shelf when the city is looking to deny a project. The Action Plan operationalizes the comprehensive plan, making it a document for continued use by staff from all departments, appointed boards and commissions, and elected officials to achieve the desired community. The Action Plan is a working document functioning as a strategic plan that identifies ideas (implementation steps, programs, documents, etc.) to explore that can facilitate the accomplishment of the goals, strategies and actions identified in the main document topic tables.

The action plan is not intended to replace current department strategic plans, master plan documents and administrative policies already in place, but rather to support the implementation of them. The goals, strategies and actions included in this plan were developed from these existing documents and expanded upon based on ideas and comments received during outreach. The action plan is divided into the same eight topics included in the main document allowing for the organization of sub-action ideas and provides a reference number which connects each action item back to the main document. The sub-action ideas are not meant to be taken as definitive items to be implemented by the city but rather as items to consider, research and evaluate towards identifying appropriate approaches to achieve the goals and strategies and determining if the actions of the comprehensive plan are desired, viable, achievable, valuable, and equitable for the community to implement.

One lead department and one or more secondary department(s) are identified for each action to identify who within the city should initiate and facilitate the work. Additionally, a priority rating is indicated identifying the suggested time frame for each action. The priorities are subject to change based on City Council priorities, staff availability and potentially funding sources to accomplish the task. The actions and sub-actions may be modified during each comprehensive plan review period to address market changes, significant shifts in community needs and desires or when actions items are completed and removed the plan.

- Community Profile: The Community Profile companion document provides information on past and projected demographics for the city.
 - Outreach & Engagement: The Outreach & Engagement companion document provides data on all outreach efforts completed as part of the comprehensive plan process. The document provides the complete picture of outreach and engagement that took place in identifying the elements of community importance for incorporation into the comprehensive plan.
 - Transportation Master Plan & Master Parks & Trails Plan: For information and understanding, the plans are being provided in conjunction with consideration of the comprehensive plan as parks and open space, as well as the placement and design of roads can greatly impact an individual's experience in the city. A summary of each plan has been prepared by the respective department and is included in this staff report: the full master plan document(s) may be found on the Comprehensive Plan website at the following link: www.OurWDM.com. The City Council will acknowledge these as supporting documents as part of their resolution for the Comprehensive Plan update.
2. Land Use Map: This Comprehensive Plan is built on the idea of creating distinct and desirable places to live, work, and play throughout the city. These are places such as walkable neighborhoods, accessible open spaces, local and regional centers for employment, commerce, and civic activity. Traditional land use planning is conducted on a parcel-by-parcel basis where desired land uses are identified for each parcel with vacant or undeveloped areas often taking on the characteristics of adjacent development or zoning. Past comprehensive plans, in combination with zoning utilized the Euclidian approach which placed specific uses adjacent to others as a transition between uses believed to be incompatible (i.e. medium density is adjacent to single family, high density residential between medium density and office/commercial). This approach discouraged the intermixing of types of uses and pushed residential away from office and commercial areas thus negating walkability and instead forcing an auto dominated community.
- Flexibility: Flexibility has been one of the key driving factors in the creation of this Comprehensive Plan as a whole; flexibility in development; flexibility in land use and place type options; and flexibility in implementation for the plan to better allow the city to adjust to changing dynamics. The flexibility that has been incorporated into this plan was intentional towards letting the market, or more appropriately the wants and needs of residents, businesses and visitors determine what should be developed. Through several iterations of mapping approaches, staff believes the desired flexibility can be achieved with a reduction in the number of land use classifications that are mapped, while also recognizing that each type of land use can vary greatly in intensity. To address the intensity aspect, this comprehensive plan incorporates a relatively new planning concept of 'Place Types'. Place types focus on the context of development and the potential impacts more so than the name or type of use that is implemented. Additionally, place types provide insight to development expectations while also providing information and assurances as to 'what may be developed next door'. The use of place types allows greater flexibility in the development process and provide opportunities to

promote the city's desire for unique character and design of developments while allowing development professionals to be creative in the achieving the intent.

- Two Land Use Concepts: The Land Use Map, which is part of the Main Document is divided into two parts; Developed Areas Land Use Map (page 79) and Undeveloped Areas Land Use Map (page 81).
 - Developed Areas Land Use Map (generally that area east of 88th/S 88th Street and north of the Raccoon River) For the near future, the developed areas of the city will maintain the existing adopted land use classifications of the 2010 Comprehensive Plan land use map. Over the next several months, staff will evaluate individual developed parcels to determine the new land use color/classification that is most appropriate given what use is occurring and what the development context is within each parcel. While it cannot be said with certainty at this point, it would not be staff's intention to apply a land use classification that would render a property non-conforming. The zoning of developed properties would not be changed as part of application of the new land use classifications.

Outreach in respect to the land use map component of the comprehensive plan did not include property owners/residents in the developed areas, thus additional noticing and public comment opportunities will need to be provided prior to consideration of assigning the new land use classifications in the developed areas of the community. If development of an infill parcel or redevelopment of a parcel is desired during this interim period, a property owner could submit a comprehensive plan land use map amendment requesting assignment of the new land use color(s). Assignment of the new colors will not automatically change the zoning of the property; a rezoning would need to occur based on the intended development. If the type of development proposed is inconsistent with the context and uses of the area, the rezoning could be denied.

- Undeveloped Areas (generally that area west of 88th/S 88th Street and south of the Raccoon River) The generally undeveloped areas of the city are classified under the new land use colors or classification system which provides five land use classifications with defined intensity levels in non-residential land use to provide a more flexible land use model for future development.

The land use map for consideration tonight has removed the land use colors for the 5 areas of the map where the property owners have communicated their desire for a land use change from staff's recommended land use classifications (see Land Use Map Change Requests from Property Owners bullet). This map with the colors omitted is attached to this staff report for review as it will differ from the Undeveloped Land Use Map that was posted in the Comprehensive Plan provided on the website. The maps included in the final adopted Comprehensive Plan will be updated once all land use classifications have been recommended by the Planning and Zoning Commission and formally approved by City Council.

Please keep in mind, what is shown on the Land Use Map does not change the current use of property if developed, nor does it mean a property is being annexed into the city as part of the comprehensive plan adoption. The State does give the city authority to plan outside of the corporate boundaries – it would be short-sighted of the city to not have a plan for growth and what is desired, taking into consideration what the long-range infrastructure needs for various areas will be. The new comprehensive plan actually identifies land use on less ground than did the 2010 plan as areas that have been identified for incorporation into

Waukee, Van Meter or Cumming as part of an Annexation Agreement have been removed. With the exception of the removal of the Cumming Annexation Moratorium area, the south boundary of the comprehensive plan has remained essentially the same since the 1993 Comprehensive Plan Land Use Map.

- Locations of Land Uses: The new land use concept heavily weighs the context of the land to determine the most appropriate land use for the area. By looking at the natural features of the ground itself to determine the type/use and building size potential the site can accommodate will help to maintain and capitalize on the great natural features that West Des Moines growth areas have to offer. A secondary aspect considered during land use assignment is the location of existing and future roadways and their classification. As a general rule, natural features and roads serve as the boundaries of designated land uses. Also, and not any less significant, potential impacts on adjacent land or property owners from possible uses that likely would be allowed in a land use classification were considered to make sure the city is using best planning practices in identifying uses that can and are appropriate to be adjacent to each other. An overall goal is to offer variety in land use to provide the flexibility across the city and meet the needs of residents and businesses. If a single land use class is provided for large areas or across more acres than necessary to address a need, the city could lose the variety in use and character in development that is desired.

It is well known that the colors on the 2010 adopted map were heavily influenced by a few key factors:

- property owner requests for a land use category with the highest selling price for land,
- developer requests for specific land uses in anticipation of development, or
- an internal city desire to guarantee appropriate developed land values should road infrastructure be constructed via the assessment process.

Staff does not believe this should be the reason behind why a property is painted a certain color. Instead, with this update, staff desired sound rationale while taking into consideration the impact to the community as a whole for determining where land uses are located. To provide the best and most appropriate context sensitive land uses for specific areas of the community, the comprehensive plan notes that the following factors should be considered.

- Environmental Sensitivity: In alignment with Strategy 4.1 of the WDM 2036 plan which speaks to identifying environmentally sensitive areas, slopes of 35% and higher, waterways & flood prone areas, and heavily treed areas were mapped. These areas are indicated on the land use map by hatching. A land use that appropriately respects and/or capitalizes on the environmental aspect was then identified. For example, development that would consist of smaller footprint buildings are more adaptable and appropriate to steeper slopes than large footprint buildings thus land uses that allow single-family and smaller, multi-family or commercial buildings are identified for areas in which there is more topography. In many situations the environmental elements provide natural boundaries for a land use.
- Walkability: Through the outreach process, staff heard from numerous individuals that they desired to be able to walk to commercial areas. Staff intentionally located commercial nodes within ¼ to ½ mile walk of residential areas. These nodes vary in size and intensity depending upon whether they are intended to serve the immediate surrounding residential, multiple neighborhoods, or draw individuals from the Metro and beyond.
- Roads: It is a given that certain land uses are more tolerant of and benefit from being adjacent to multi-lane, higher-speed roadways than do other land uses such as single-family

residential. Land uses were located in response to the various street classification levels included on the revised Ultimate Street Map (now included in the associated Transportation Master Plan). This revised street map identifies road alignments that are more reflective and respectful of topographic and land feature constraints (such as creeks) than past maps have been. To assist individuals in understanding what will be near them when determining where to purchase ground, it was determined that any roadway anticipated to be of 4 or more lanes should be shown on the map (major and minor arterials and some major collectors). Roadways smaller than this are generally tolerable to all types of land uses and therefore are not included on the land use map. It is recognized that a solid network of arterial and major collector roads needs to be developed; however, the number and location of connecting roads interior to the network (local roads, and to a certain degree minor collectors) could be determined by what development is occurring and what land use(s) is implemented.

- Property boundaries: Unlike the currently adopted comprehensive plan land use map, staff did not include any property boundaries when placing land uses. This eliminated the locating of a certain land use based on who owns what ground and/or what use a property owner or developer specifically desires, versus what is appropriate to the environment and in the larger context of the area and city. Staff did try to accommodate known potential developments if we were aware of some level of planning having been done, and if they made sense to the surrounding uses and overall distribution of uses across the city.
- Assessments: Staff made an assumption that the city would continue the approach to explore all other possibilities to finance major roads than putting the burden of the costs on adjacent property owners through the assessment process. This reduced the need to feel compelled to place commercial and office along the major roadways unless it otherwise made sense. Of course, as suggested above, certain uses are more tolerant of multi-lane, high-traffic roadways than are other uses which was considered when staff assigned land uses.
- New Land Use Map Classification and Place Types: As indicated in the flexibility paragraph above, staff is presenting a Comprehensive Plan Land Use Map that reduces the number of land use classifications from the 24 included on the 2010 adopted map (Developed Areas Land Use Map) to 5 major categories in combination with intensity levels for the multi-use and industrial classification for this updated plan. These five land use classifications and the general type of development that may occur are:
 - Open Space – areas designated for parks, greenways, preservation areas or other low intensity recreation-oriented uses.
 - Detached Residential – detached residential single-family homes only.
 - Mixed Residential – both detached and attached residential dwellings only.
 - Multi-Use – a mix of residential, commercial, office, institutional and low-intensity industrial uses, either vertical or horizontally arranged.
 - Low – small scale activity centers serving immediately surrounding neighborhood – building size and heights compatible to typical single-family dwelling structures (generally 15,000sf footprint; maximum three-stories).
 - Medium – mid-scale activity centers to provide for multiple neighborhoods in a larger area, as well as destination businesses for the whole community. Buildings generally 45,000sf footprint; maximum five-stories.

- High – core of a larger/urban scale activity center that draws from the roader region &/or auto-oriented service and retail node. Unlimited building footprints and heights.
- Industrial:
 - Low – industrial uses that typically have limited exterior impacts (i.e., noise, smells, truck traffic, overhead doors, outdoor storage, mechanical equipment, outdoor operations, etc.). Impacts must be mitigated so they are not visible or otherwise noticeable from adjacent streets and adjoining properties. Buildings approximately 45,000 sf footprint; 2-story or 24’ height.
 - High – heavy industrial and manufacturing uses, often with outdoor activities and storage, truck traffic, shift work, etc. Use or operation may impact immediately adjacent properties.

To address the varying intensities that can occur in any of the land use categories, this comprehensive plan incorporates a relatively new planning concept of ‘Place Types’. Place types focus on the context (the look and feel of places and their form, scale and function in the built environment) instead of focusing on the name or type of specific use. Staff sees place types as a valuable tool to allowing the flexibility of implementing a variety of uses in an area as determined by market, while controlling the built environment’s form and pattern context and use intensity thus providing general knowledge of what could occur next door so that one can decide if that is an environment they wish to live or operate a business. Just as the colors on the comprehensive plan map paint a picture of the general type of uses intended for an area, place types paint a picture of the design and character intent for various types of development possible within each land use color. The use of place types will allow greater flexibility in the development process and provide opportunities to promote the city’s desire for unique character and design of developments while allowing development professionals to be creative in the achieving the intent. Page 70 of the main document includes a matrix identifying which place types would be appropriate and allowed within each land use classification. Unlike other communities that have mapped where each place type may be located (eliminates flexibility in use placement), staff will use place types as a bridge between the land use map and zoning. The place type informs of the general type/uses, look and feel of development within a land use color, and informs zoning as to the regulations necessary to ensure it is created accordingly. It is fully anticipated that the resulting place type, as ultimately developed, will differ between land use classifications. For example, the Office place type in Multi-Use Low would result in smaller footprint buildings and less intense or active users than Office might in Multi-Use High which allows buildings of unlimited footprint and height and may have more activity such as high customer traffic, number of employees, hours of operation, frequent deliveries, etc. The appendix of the main document (starting on page 83) provides form and pattern development information for each place type as it relates to each land use designation that it would be allowed in.

Land Use Map Change Requests from Property Owners: Staff received communication from property owners disagreeing with the land use classification(s) for five specific areas from that shown on the staff created Land Use Map that went out for public review and comment (page 81 of the main document). Since staff’s proposed land use map was posted for public review and comment, staff believes any change in the assigned land use classifications should happen as part of a public hearing to allow explanation of the reasoning behind the current proposed classification and the desire to change to be vetted in a public forum. These changes can only be considered after the new Land Use map is adopted. Due to concerns raised by the landowners at the August 29th meeting, the land use map for

consideration tonight has had the land use colors for the 5 areas removed from the map. This has been done for clarity that there is not a request for approval or denial of staff's recommendation, but rather to set the stage for the Planning and Zoning Commission and City Council to discuss each situation and provide direction to staff as to what land use(s) are to be assigned in each case. This map with the colors omitted is attached to this staff report for review and it differs from the Undeveloped Land Use Map that was included in the Comprehensive Plan provided on the website. The map that will be included in the final adopted Comprehensive Plan document will be updated once the land use classifications have been recommended by the Planning and Zoning Commission and formally approved by City Council.

- For clarity and a clear record of what each action taken by the Commission and Council is, these five areas are being presented as separate items. Separate staff reports have been prepared which provide information on the land use(s) desired by the property owner as well as details from staff on the criteria used in making staff's land use assignment decision. These five areas were known about prior to this Comprehensive Plan Update adoption meeting: any Individuals making a request for a land use change at the comprehensive plan adoption meeting itself will be directed to submit a formal request to staff. Staff will prepare the same background information as the five being considered tonight and place them on the next possible meeting agenda after the appropriate public noticing has been completed.
- Amendments Made due to Staff and Public Review (since May 1, 2022): The following amendments have been made to the map and text document since the release of the public review version of the documents. The changes were made to address continued work by staff to enhance the plan, comments made by other city departments, and comments received from the public during the public review period in April/May 2022.
 - Map:
 - Updated Ron Sweeney Property (northeast corner of Mills Civic Parkway and S Grand Prairie Parkway) from Open Space to Mixed Residential due to a mapping error
 - Removed area south of Booneville Road, north of Raccoon River Drive, west of S. 115th Street from the map
 - Added a note on the Land Use Maps to reference Transportation Master Plan for Ultimate Street Map
 - Main Document:
 - Replaced Maps with updated versions as noted above. (Pg. 80-81)
 - Replaced Land Use/Place Types Matrix with an updated and revised version based on continued work by staff (Pg. 70)
 - Replaced Zoning Compatibility to New Land Use Matrix (Pg. 71-73)
 - Added a new section in the Preface of the documents to address the interpretation of land use boundaries and how boundaries may change with shifts in roadway or key feature locations. (Pg. 14)
 - Added language in the land use chapter to more clearly address the role of the place type sheets and the form and pattern information. This will provide guidance on how these desired development patterns help to create areas of the community specific to the intent of the place type. (Pg. 69)
 - Updated the Neighborhood Center place type intent statement to include limitation for Industrial Land Use class (Pg. 113)

- Added a form and pattern table to the Neighborhood Center place type to allow the place type in the Industrial Low land use classification. (Pg. 114)
- Added language in the form and pattern tables for the Limited Impact Industrial place type to address mitigation of external impacts to adjacent land use types. (Pg. 129)
- Application of Zoning: While this plan will guide the city throughout its future growth, it is important to be clear that a comprehensive plan is a guideline. What this means is that the land use classifications or colors on the map, and the goals, strategies, and actions outlined in the main document and action plan are not regulations. The Municipal Code, especially Title 9, Zoning, and Title 10, Subdivision Regulations, governs the built environment and the physical development of individual properties.

The process of overhauling the city's zoning code is on-going; however, it is 12-18 months away from completion and adoption. It is expected that this code will align and capitalize on the flexibility built into the land use map, as well as promotes the achievement of the goals and strategies outlined in the plan. In the interim until the new code is adopted, the uses implemented, and development of properties will still occur under the existing zoning district designations and zoning and subdivision regulations the city currently has adopted. This will apply across the entire city - both in the Developed Areas and the Undeveloped areas. The zoning designation assigned to a property does need to be compatible with the identified comprehensive plan land use classification. For the developed areas of the city, page 62 provides a matrix identifying which zoning districts are appropriate for each of the 24 land use map classifications. With the introduction of place types, page 70 of the main document includes a matrix identifying which place types would be appropriate and allowed within each land use classification. Pages 72 & 73 then provides a matrix of which current zoning designations could be applied to each place type.

The change in approach to determining land use classifications from that done with the 2010 land use map and the current proposed map as outlined in the "Location of Land Uses" section above does result in a change in the assigned land use for several properties within the undeveloped areas, especially that area south of SE Maffitt Lake Road in the southeast area of the city. It is anticipated a zone change will be necessary for many of the undeveloped parcels that are currently zoned as the current zoning designation most-likely is not compatible with the recommended new land use classification. Staff will be making this determination immediately after adoption of the land use plan and will bring forward an amendment to repeal zoning on certain properties as applicable. It should be realized until a property has developed or has valid (vested) right to complete the project as proposed, regardless of a property owner's wishes, the city has the authority, through the exercise of the police power, to change the land use designation or zoning of any property as the city sees appropriate, including what may be considered a 'down-zoning' of the property. A legal opinion has been prepared and is included in this staff report to expand upon when a property owner obtains a 'vested right'. It should be noted, it is not considered a "taking" by the city if the potential sale value of ground has a perceived decrease due to the change in land use (e.g., land use classification is changed from 'industrial' to 'residential').

- Amendments and Future Reviews and Updates: "As one of the fastest growing cities in the state, it would be impossible to exactly predict what the city will need in 10-20 years, but what can be done is to set goals for what our community aims to be and create a path to achieve these goals. The Comprehensive Plan is intended to be a living document that will change as the city changes, as actions are implemented, and strategies and goals achieved. As the city changes

and one aspect becomes more pressing than another, or if a current strategy isn't working, this plan allows the flexibility to be modified to ensure that we still meet our goals – or add new goals as necessary.” (Main Document Executive Summary)

With the flexibility that has been built into the map, including the allowance to construct single-family and multi-family housing in office or commercial designated areas, the city should not have to do individual property amendments due to a pending development. Instead, the developer should be able to find ground that already has an appropriate land use assignment that would accommodate the intended uses/project. It is recognized that on occasion, specific projects may be proposed for property that would necessitate a change in the identified land use; however, it is the ultimate goal that a good process will be developed to evaluate the community benefit of the project and the resulting change to ensure it is appropriate for the surrounding area before approving any amendment(s) just because a property owner is willing to sell. To provide as much assurance to people as to what may develop next to or near to them, amendments to land use classifications should be minimized.

As has been expressed, this comprehensive plan is intended as an implementable document – one that utilizes actionable items targeted at developing applicable programs and policies to realize the goals and strategies laid out in the plan. It is also a living document that is intended to be a working document to facilitate and guide achievement of the goals, strategies and actions outlined in the plan.

The main document and the Action Plan companion document, as well as the Land Use Map should be reviewed, and modified accordingly, every 3-5 years to address market changes, significant shifts in community needs and desires, change in city initiatives and/or priorities, or when action items are completed or deemed not viable and to be removed from the plan.

- *Additional Information Available:* The following background data and additional information is available upon request if needed to address outstanding questions or concerns of the Commission or Council.
 - Comparison of the adopted land use class with the proposed new land use classes.
 - Comparison of total land use areas between Adopted and Draft Land Use Map (identified in total acres by general land use).
 - Building footprint data for existing developed buildings.
 - Land Use Amendment Case Data from 2010 to 2022 – Type of Land Use Change by Acres.
 - Comparison of 2010 Comprehensive Plan Policy Statements with Action Plan.
 - Land Use Comparison Maps – Identifies areas within the planning area changing in land use, staying the same in land use, or gaining additional land use options.
 - Public comments received during the public review period of the plan and land use map.
 - List of local and regional Comprehensive Plans used as reference.

Outstanding Issues: There are no outstanding issues.

Plan and Zoning Commission Action:

Date: September 12, 2022

Vote:

Recommendation:

Recommendation: Approve the amendment to the Comprehensive Plan and Land Use Map as presented by staff.

Lead Staff Member: Karen Marren

Approval Meeting Dates:

Plan and Zoning Commission	August 29, 2022 & September 12, 2022
City Council	September 13, 2022

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 checked="" type="checkbox"/> Director <input type="checkbox"/> Appropriations/Finance	<input checked="" type="checkbox"/> Legal Department <input type="checkbox"/> Agenda Acceptance

Publications (if applicable)

Published In:	Des Moines Register Community Section
Date(s) Published	P&Z: 8/19/2022 & 9/2/2022 CC: 8/26/2022 & 9/2/2022
Date(s) of Mailed Notices	N/A

Council Subcommittee Review (if applicable)

Subcommittee	Development & Planning
Date Reviewed	N/A
Recommendation	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Split

**CITY OF WEST DES MOINES, IOWA
OFFICE OF THE CITY ATTORNEY LEGAL OPINION**

TO: Mayor Russ Trimble and West Des Moines City Council
FROM: Jessica Grove, Assistant City Attorney
DATE: August 25, 2022

RE: Vested Rights

On September 13, 2022, the West Des Moines City Council will hold a public hearing to consider adoption of the 2022 Comprehensive Plan. As part of the adoption, City Council will also be adopting the new land use designations and the amended Comprehensive Plan Land Use Map. The proposed Land Use Map will change the current land use designation for some properties.

For example, a property may be designated as “commercial” land use today, but on the proposed Land Use Map the property will be designated as “residential.” This proposed change is a legitimate exercise of the police power¹ to address changed conditions surrounding the property, environmental factors, or transportation/public facility impacts, etc. In this example, the proposed change in land use designation may appear to diminish the property rights held by the affected landowner. Thus, arguments may arise from affected landowners that, due to the perceived diminution in value, their property should be exempt from the amendment, and retain the previously established land use designation.

When the City Council makes a change in the land use (or zoning), a key question is whether the City has the authority to do so. The City cannot deprive property rights arbitrarily, and at some point in the development process a landowner’s right to proceed with their proposed project achieves constitutional protection. When the landowner achieves this constitutional protection, they have obtained a “vested right.”

To acquire a vested right, and therefore an exemption from a newly enacted law, a landowner/developer must: (1) engage in substantial expenditures (2) in good faith reliance (3) on a validly issued building permit.² Courts generally do not consider the purchase price of land as “substantial expenditures.” If a landowner/developer misleads the City or acts in reliance on a permit known to be invalid, the Courts have considered this to be acting in “bad faith” and no rights will vest.

In summary, although the amendment may change a landowner’s rights to use a property in a certain manner, the City may make such amendments to the land use (and zoning) in the reasonable exercise of the police power until the landowner has obtained a “vested right.” The designation of a property as a certain land use or zoning does not form the basis of a vested right to a specific use.³

¹ See IA Code §364.1, “A city may, except as expressly limited by the Constitution of the State of Iowa, and if not inconsistent with the laws of the general assembly, exercise any power and perform any function it deems appropriate to protect and preserve the rights, privileges, and property of the city or of its residents, and to preserve and improve the peace, safety, health, welfare, comfort, and convenience of its residents.”

² *Avco Community Developers, Inc. v. South Coast Regional Com.*, 553 P.2d 546 (1976). See also *Kasperek v. Johnson County Board of Health*, 288 N.W.2d 511, 518 (Iowa 1980), “The vested rights concept is a part of the balancing of the respective legitimate interests of the private property owner against those of the general public, keeping in mind that legitimate and valuable expenditures in connection with the use of an affected tract or in a business conducted on it, before imposition of the regulation, may create a property right which cannot be arbitrarily interfered with or taken away without just compensation.”

³ *Id.* at 551. “By zoning the property ... the government makes no representation to a landowner that he will be exempt from the zoning laws in effect at the subsequent time he applies for a building permit...”

Transportation Master Plan

SYNOPSIS: The City's Development Services Department has been working on an update to the Comprehensive Plan, which focuses on topics such as land use, infrastructure, quality of life, economic development, and public safety. Transportation plays a role in all these topics. The Comprehensive Plan sets the guiding transportation goals, with the Transportation Master Plan expanding on the multimodal transportation strategies, policies, and actions that support the overall goals.

Based upon the feedback of the Commission, a final draft of the Transportation Master Plan will be brought before the City Council for approval at a future meeting.

BACKGROUND: The Transportation Master Plan serves as a framework for efficient growth and development of the transportation system to support the overall Comprehensive Plan. It is a guide that aides City staff in planning infrastructure to meet the various mobility needs of the City's residents, businesses, and visitors. The plan is also multimodal, addressing motorized and non-motorized travel, including transit, rail, and freight. The Master Trails Plan and Bicycle Master Plan are separate, more detailed plans that focus on those specific aspects.

The City's Ultimate Streets Map, which is part of the Transportation Master Plan, illustrates the long-range layout of West Des Moines' transportation network. This map shows the existing street classifications in the city, as well as potential future street alignments that will provide for the future movement of people, goods, utilities, and emergency vehicle access. The Ultimate Streets Map is used as:

- A resource to inform decision-making by property owners, developers, and City staff
- A tool to assist in the preservation of adequate rights-of-way for future street corridors
- A tool to assist in planning for connectivity across the City, establishing detour routes and emergency routes, and siting of future public safety buildings
- A tool to ensure City-defined projects remain eligible for consideration for grant funding

The draft Transportation Master Plan is available at the following link: <https://ourwdm.com/revised-final-draft-of-the-comprehensive-plan>. The public was invited to provide comments on the plan through the end of April 2022 as part of the public review for the Comprehensive Plan and Master Parks and Master Trails Plans.

Prepared by: Eric Petersen, Principal Traffic Engineer

Approved for Content by: Brian Hemesath, City Engineer, Director of Engineering Services

Master Parks and Trails Plan

BACKGROUND: The City's Development Services Department has been working on an update to the Comprehensive Plan. They have recently completed a draft plan which includes a variety of proposed land use changes. The changes in land use, particularly residential uses, impact both the Existing and Proposed Parks Map and Existing and Proposed Trails Map that are part of the West Des Moines Master Parks and Trails Plan. Based upon proposed land use, Parks and Recreation staff made associated adjustments to the two maps. The maps, as approved by the Parks and Recreation Advisory Board, are attached. Changes to the maps are guided by policies in the West Des Moines Master Parks and Trails Plan adopted in 2001 which are not being changed. The Master Plan Policies and associated tables are attached.

The City's citizen survey confirms that the guiding policies remain relevant with 87% of residents satisfied or very satisfied with the number of City parks, 82% satisfied or very satisfied with walking and biking trails, and 81% satisfied or very satisfied with the number and quality of greenway areas (2020 ETC Institute Direction Finder Citizen Survey). More importantly, these policies, combined with the adjustments being made in response to changes in land use, ensure that the City's parks and trails system equitably serves all residents.

The updated Existing and Proposed Parks Map and Existing and Proposed Trails Map were reviewed by the Parks and Recreation Advisory Board over a period of several months. A public hearing was held at the Parks and Recreation Advisory Board meeting held on June 16, 2022. Minutes from that meeting are attached that include comments received from the public. The public was also invited to provide comments on the two updated maps through the end of April 2022 as part of the public review for the Comprehensive Plan.

The two maps are guiding documents that assist city staff in efforts to ensure that current and future residents have sufficient opportunity to utilize and enjoy park and recreational activities in a safe, convenient, and accessible way. The maps establish a framework of existing and proposed parks along with trails and greenways that link together the City's parks and recreation system.

Existing and Proposed Parks Map

The City's park system currently encompasses 1,500 acres of parkland with 26 parks, three special use facilities, one natural resource area, one large urban park, fourteen greenways, and 69 miles of trails. Parks range in size from 1-acre Pinedale Park to Raccoon River Park, which is over 630 acres. The parks are classified by different park types with guidelines for size and service area as follows:

Park Classification	Size Range	Service Area
Mini-Parks	Less than 2 acres	½ mile radius
Neighborhood Parks	5 to 10 acres	¾ mile radius
Community Parks	30 to 100 acres	3-mile radius

There are no guidelines for other classifications (Large Urban Parks, School-Parks, Special Use Facilities, Natural Resource Areas, Sports Complexes, and Greenway/Trails) due to their unique character and location requirements. Further information on each park classification can be found in attached Table 6-1: Park and Recreation Facility Attributes; Table 6-2: Park and Recreation Facilities; Table 6-3: Park and Recreation Support Facilities; and Table 6-4: Park and Recreation Support Services.

Future parks are identified on the Existing and Proposed Parks map as park ‘nodes’, which determine a general park location. The ‘nodes’ provide flexibility during the master planning stage with exact locations determined when development occurs. The adjustments to the map in response to land use changes are quite minor with a total of two parks being added to ensure equitable park service levels. The table below shows the difference in number of parks shown on the map adopted in 2001 compared to the updated map.

Park Classification	Existing	Adopted Plan	Updated Plan	Difference
Mini-Parks	4	12	17	+5
Neighborhood Parks	18	37	35	-2
Community Parks	4	5	4	-1
TOTAL NUMBER OF PARKS	26	54*	56*	+2

*Includes existing parks

The most significant change in the updated map is the number of mini-parks. This is primarily due to the changes in land use that, if approved, will allow residential uses in areas that had previously been designated for commercial or office uses. In some cases, existing park service areas do not cover these potential new residents. Mini-parks are being planned in these small areas to provide an equitable level of service if development ultimately includes residential uses.

Existing and Proposed Trails Map

The Existing and Proposed Trails Map establishes a framework of future trail locations that work with proposed land uses, existing trails, existing and proposed parks and greenways, and the City’s Transportation Plan. Trails are also coordinated with the plans of adjacent communities to ensure a continuous trail system that does not end at the City’s borders.

The table below shows the difference in number of miles of trails shown on the map adopted in 2001 compared to the updated plan.

	Existing	Adopted Plan	Updated Plan	Difference
Miles of Trails	69	212	202	-10

Trails continue to be requested and supported by West Des Moines residents. Results of the 2020 Citizen Survey showed that walking and biking trails in the city and access to destinations via the bike and trail system are the two most important parks and recreation services to provide. While the total miles of trails have decreased slightly in the updated Existing and Proposed Trails Map, at full build-out, the City's trail system is expected to nearly triple in size. Most of the growth is taking place along and south of the Raccoon River made possible by proposed trail bridges that allow pedestrian access across the river. With a trail now planned along the north side of Ashworth Road, trails have also been added in the northeast area of the city which is not served by the existing trail system.

Like the park 'nodes' on the Existing and Proposed Parks Map, trails identified on the Existing and Proposed Trails Map are shown in general locations, especially those located within greenways. This provides for flexibility at the master planning stage with exact locations determined when development occurs.

The Bicycle Master Plan, a complimentary but separate plan outlining on-street bike facilities, is not being considered at this time. Once the Existing and Proposed Trails Map and Transportation Master Plan have been adopted by City Council, staff will be reviewing the Bicycle Master Plan and making any necessary revisions.

Master Parks and Trails Plan and documents indicated as attached in the above may be found at the following link: <https://ourwdm.com/revised-final-draft-of-the-comprehensive-plan>

Lead Staff Member: Sally Ortgies, Director of Parks and Recreation

**A RESOLUTION OF THE PLAN AND ZONING COMMISSION
NO. PZC-22-080**

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the applicant, Development Services staff, request approval of an update to the Comprehensive Plan, including Transportation Master Plan and Master Parks and Trail Plan as supporting documentation, and the Land Use Map to replace both the document and land use map in its entirety.

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 amendment to the Comprehensive Plan and Land Use Map, (CPA-005581-2022) 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 September 12, 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 September 12, 2022, by the following vote:

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

ATTEST:

Recording Secretary

Prepared by: Karen Marren, 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

RESOLUTION

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the applicant, Development Services staff request approval of the updated Comprehensive Plan and Land Use Map to replace the documents in its entirety and identify the land use classification of all property within the City Planning area as indicated on the Undeveloped Area Land Use Map included as page 79 of the main document, and Undeveloped Area Land Use Map attached hereto as Exhibit "A" updated as directed; 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, the Comprehensive Plan Land Use Map Amendment complies with applicable provisions of Iowa Code Chapter 414 and City Code; and

WHEREAS, on September 12, 2022, the Plan and Zoning Commission did recommend to the City Council, by a ____ - ____ vote, for approval of the Comprehensive Plan and Land Use Maps; and

WHEREAS, on this day this City Council held a duly noticed Public Hearing to consider the application for Comprehensive Plan and Land Use Map Update.

NOW, THEREFORE, The City Council hereby approves the Comprehensive Plan documents and Land Use Map (CPA-005581-2022) as shown on attached Comprehensive Plan Undeveloped Area Land Use Map to be updated accordingly at the conclusion of this September 13, 2022 meeting per the direction of the City Council, subject to compliance with all the conditions in the staff report, dated September 13, 2022, including conditions added at the meeting, and attached hereto as Exhibit "B". 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 September 13, 2022.

Russ Trimble, Mayor

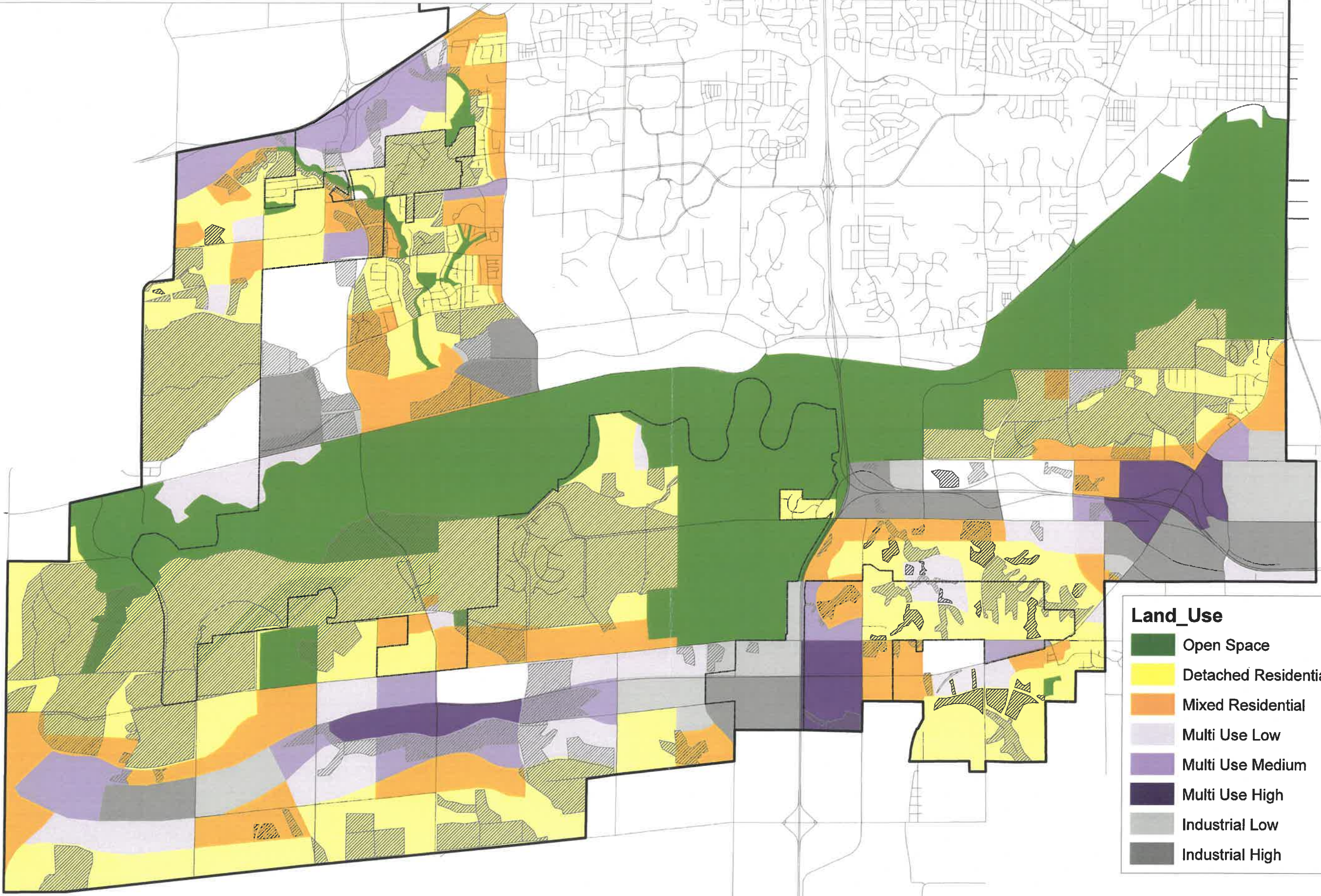
ATTEST:

Ryan Jacobson, City Clerk

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of West Des Moines, Iowa, at a regular meeting held on September 13, 2022, by the following vote.

Undeveloped Areas Land Use Map

EXHIBIT A



Land_Use

- Open Space
- Detached Residential
- Mixed Residential
- Multi Use Low
- Multi Use Medium
- Multi Use High
- Industrial Low
- Industrial High



Exhibit B: Conditions of Approval

None.

CITY OF WEST DES MOINES STAFF REPORT COMMUNICATION

Meeting Date: September 13, 2022

ITEM: Comprehensive Plan Land Use Map – Provide direction to staff which land use classification(s) to apply - McKinney Property – CPA-005748-2022

ACTION: Provide Staff Direction and Recommend Appropriate Land Use Designation(s) to Apply

Background: The currently adopted Comprehensive Plan Land Use Map has 24 land use classifications and associated colors. The proposed new land use map has the following land use classifications and colors:

Open Space (OS)	Green
Detached Residential (DR)	Yellow
Mixed Residential (MR)	Orange
Multi Use Low (MUL)	Light Purple
Multi Use Medium	Medium Purple
Multi Use High (MUH)	Dark Purple
Industrial Low (IL)	Light Grey
Industrial High (IH)	Dark Grey

All properties within West Des Moines' Comprehensive Plan planning area will ultimately have the new classifications ("colors") applied. However, at this time, these new colors are only being applied to the 'undeveloped areas' as indicated on the map on page 81 of the main document. For the next few months, the currently adopted Comprehensive Plan's land use designations and colors will remain on the 'developed areas' of the city as indicated on page 79. It is staff's intention over the next few months to evaluate every developed parcel to determine which of the new land use designations best represents the built environment for a parcel. It is not anticipated that any developed property will undergo a change in zoning unless appropriate to bring the property into conformance with zoning. A table that identifies which 'old' Comprehensive Plan Land Use classifications are encompassed in each of the 'new' land use classifications is included in this report. This table assists staff in determining the appropriate new classification to apply.

As a result of outreach to explain to developers and landowners the new land use map approach, Staff became aware of five situations in which the property owner and staff disagreed on the land use to be assigned to their respective property. Knowing of this disagreement, the meeting to consider adoption of the overall Comprehensive Plan Update was set up with each of these areas to be discussed independently after consideration for adoption of the overall "undeveloped area" land use map. Contained in the staff report for each of these areas is information on the current land use, which new classifications would be equal to what is assigned today, staff's recommendation and rationale for such, and, if applicable, background on discussions had with the property owner(s). In light of the suggestion at the August 29th Planning and Zoning Commission meeting that the property owners did not want the overall Undeveloped Area Land Use Area Map adopted with a change in land use from what they currently have and/or desired for their property, staff has removed any land use designation from the respective properties. This will allow a recommendation on adoption of the overall "Undeveloped" Land Use Area Map first and then the Commission and subsequently Council determining what they believe is appropriate for land uses in each of the five situations. With this approach, there is no approval or denial of an "amendment" action but rather an approval motion providing direction to staff as to what land use classification or color to apply in each situation. Based on these motions, the overall map will

subsequently updated to reflect the Council's direction.

In developing the proposed new land use map, staff considered several factors in determining the best land use classification for the city's undeveloped areas. Included within this report is a list of general criteria considered in determining the assignment of land use classifications.

McKinney Property


Location: west of S Grand Prairie Pkwy; east of S 115th Street/V Place; south of future Stagecoach Drive; north of Grand Ave

In 2010, land use was changed from residential as part of a city-initiated amendment to accommodate an economic development project which was deemed to be a positive impact for the city. The project never materialized, and the property remains undeveloped.

The area south and west of the subject site was changed from Office and Business Park in 2021 to Light Industrial to allow for a Microsoft data center.

Current Adopted Comprehensive Plan Land Use & Compatible New Land Use:

Current Land Use Classification(s)	Color	Approx. # of Acres
Business Park	Mauve	282.5
Office	Blue	124
Neighborhood Commercial	Red	14.5
Compatible New Land Use Classification(s)	Color	Approx. # of Acres
Industrial Low	Light Grey	395
Multi Use Low	Light Purple	26



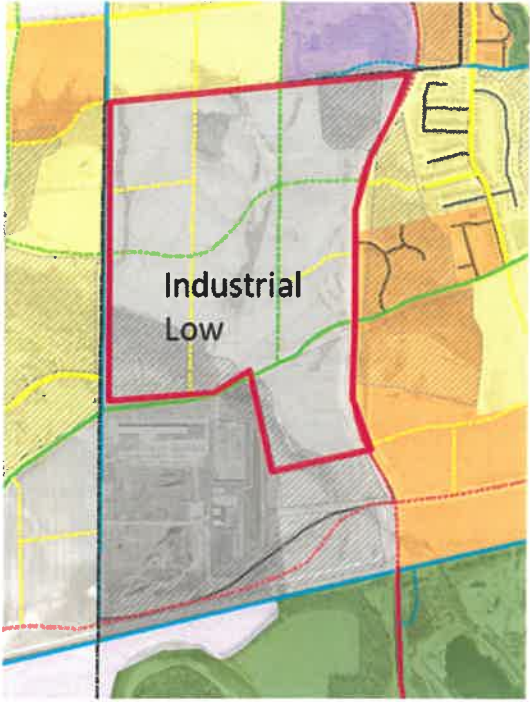
Commercial node was relocated from NW corner to southeast corner of Booneville Road & S Grand Prairie Parkway intersection

Map A: Property Owner's Desired Land Use (reflected with New Land Use Classification):

New Land Use Classification(s)	Color	Approx. # of Acres
Industrial Low	Light Grey	421

Rationale:
 Property owner has indicated they want the Business Park and Office land uses they currently have

Note: The Commercial was removed from illustration to provide new land use compatible for Business Park and Office development across all McKinney ground

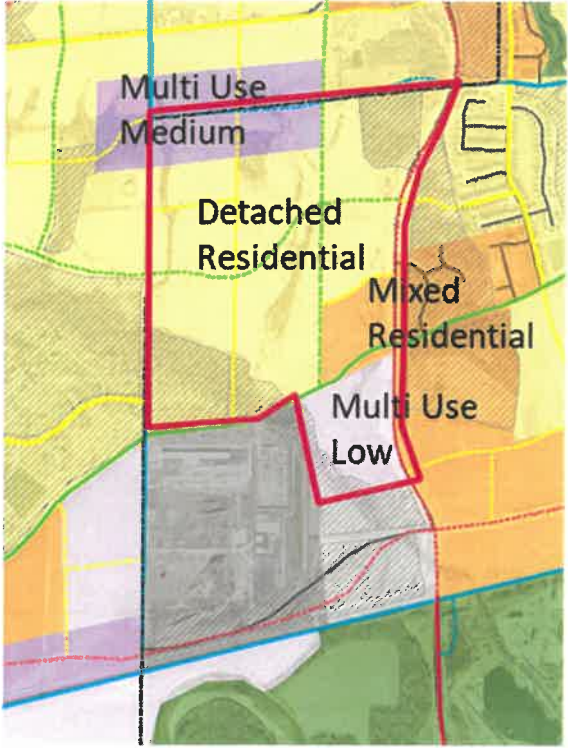


Map B: Staff's Original (12/18/2020) Recommended New Land Use Classification:

Land Use Classification	Color	Approx. # of Acres
Detached Residential	Yellow	321
Mixed Residential	Orange	31
Multi Use Low	Light Purple	26
Multi Use Medium	Medium Purple	43

Rationale:

1. residential prior to change in 2010 and residential is developing to the east – anticipated will continue to move west
2. no inquiries to staff to develop with business park or office
3. incorporated commercial nodes to serve surrounding residential and provide walkability

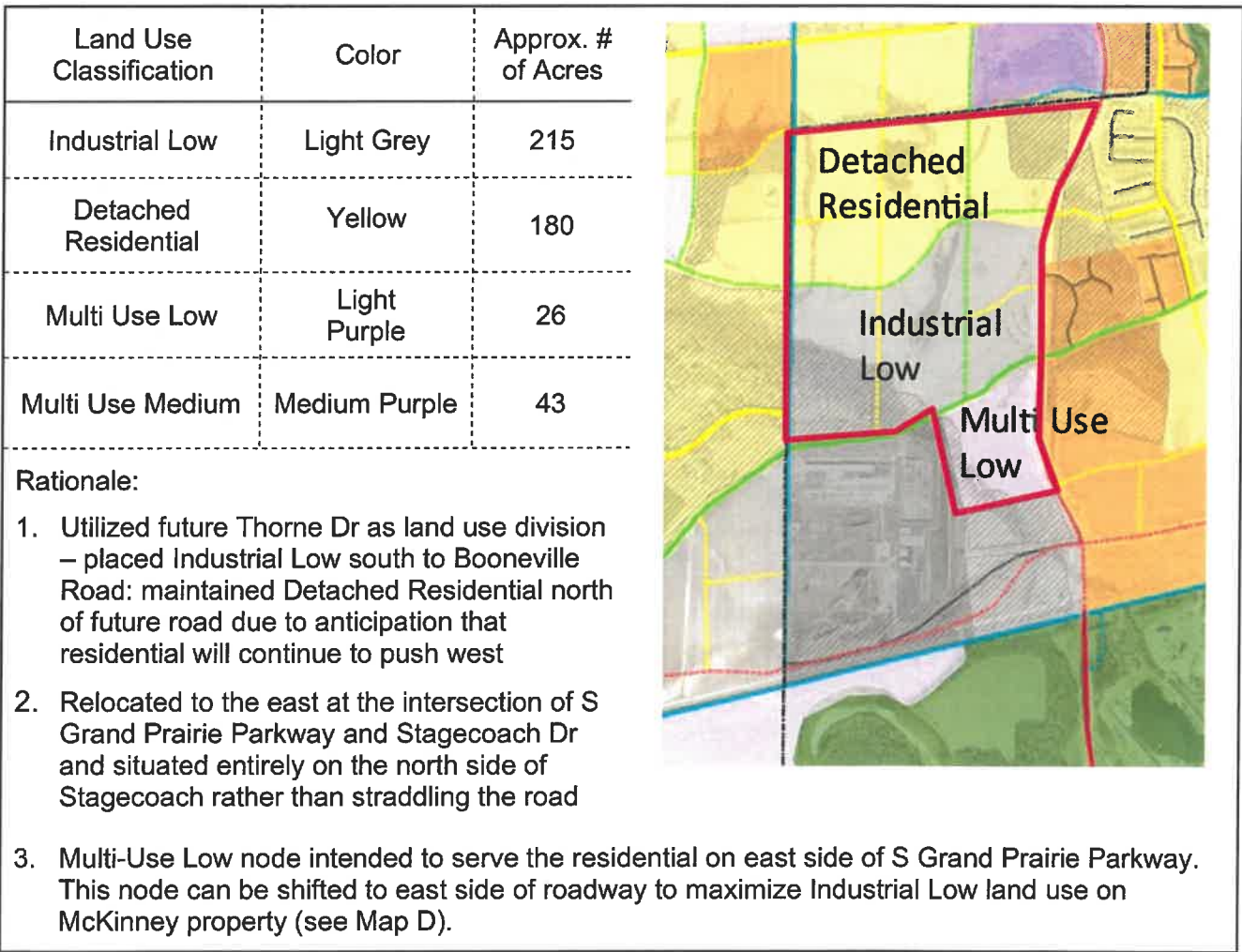


Staff met with the applicant to discuss the land use proposal reflected above and ultimately accommodated some of the applicant's desire for office and business park land uses by modifying the southern portion of the site to the Industrial Low land use and making office an acceptable place type in the Industrial Low classification. (See next illustration: "Staff's Modified (2/18/2021) Recommended New Land Use Classification".

However, with no inquiries for either office or industrial development to date for the subject property, Staff does not believe the full acreage of land in this area will develop as industrial or office. With current single-family residential development to the east staff maintained the detached residential (yellow) land use on the northern portion of the site to accommodate what is anticipated to be continued single family residential development.

To achieve better walkability coverage for the larger area, the Multi Use Medium area was relocated to the east at the intersection of S Grand Prairie Parkway and Stagecoach Dr and situated entirely on the north side of Stagecoach rather than straddling the road. The node of Multi-Use Low originally placed on the southside of Booneville Road was done so to provide walkability for this area given the higher density that could result with the adjacent Mixed Residential land use (orange area).

Map C: Staff's Modified (2/18/2021) Recommended New Land Use Classification:



Map D: Staff's Modified (8/29/2022) Recommended New Land Use Classification:

Land Use Classification	Color	Approx. # of Acres
Industrial Low	Light Grey	241
Detached Residential	Yellow	180

As suggested in Map A above, to maximize among of Industrial Low, the 26-acre Multi Use Low node has been moved to southeast corner of S Grand Prairie Pkwy and Booneville Road

It is noted in the Comprehensive Plan text document that land uses may shift with the developed location of a street if used as a transition in land use assignment. In all of the previous illustrations, should the alignment of either future Thorne Drive or Stagecoach Drive shift, the amount of the respective land uses on each side of the roadway would adjust accordingly.

To aid the Commission and Council, the following motion options are available (see associated map illustration on following page):

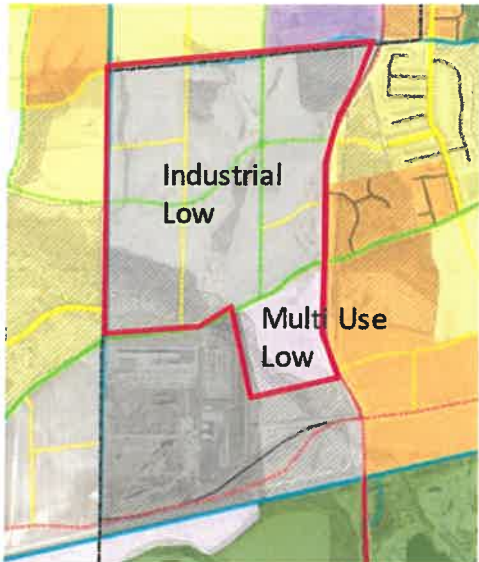
Motion to:

- (1) Assign Land Use Classifications consistent with current adopted land use as depicted in Map A illustration below; or
- (2) Assign Land Use consistent with Property Owner's desired land use of entire property designated as Industrial Low classification as depicted in Map B illustration below; or
- (3) Assign Land Use Classifications consistent with Staff's February 18, 2021 Modified Recommended New Land Use Classification as depicted in Map C illustration below; or
- (4) Assign Land Use Classifications consistent with Staff's August 29, 2022 Modified Recommended New Land Use Classification as depicted in Map D illustration below; or
- (5) Assign Land Use Classifications as follows: (*Commission and Council providing directions on what land uses to apply to each area indicated in Map E*).
 - area #1 as _____ land use
 - area #2 as _____ land use
 - area #3 as _____ land use

Motion Illustrations:

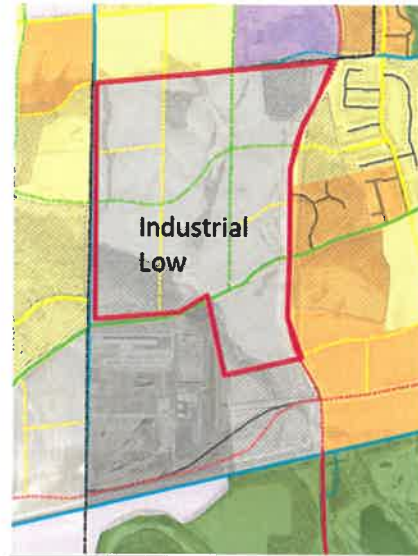
Map A

Match to current adopted land uses



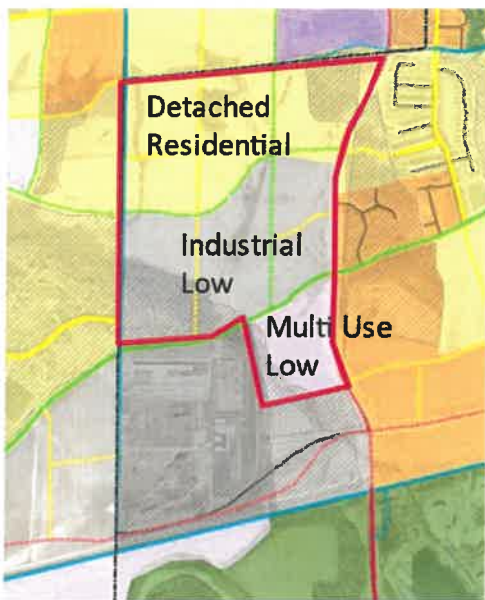
Map B

Assign entire McKinney property Industrial Low land use



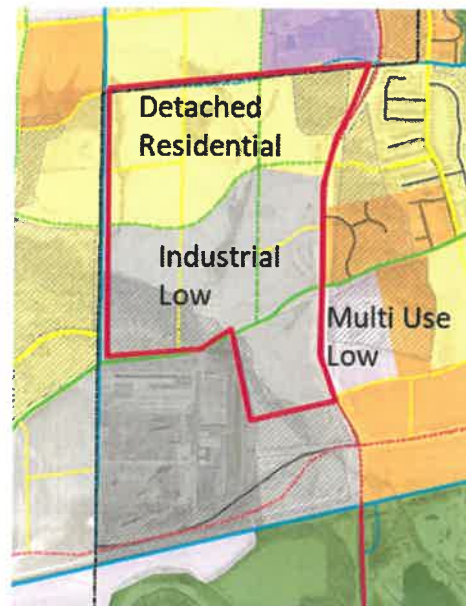
Map C

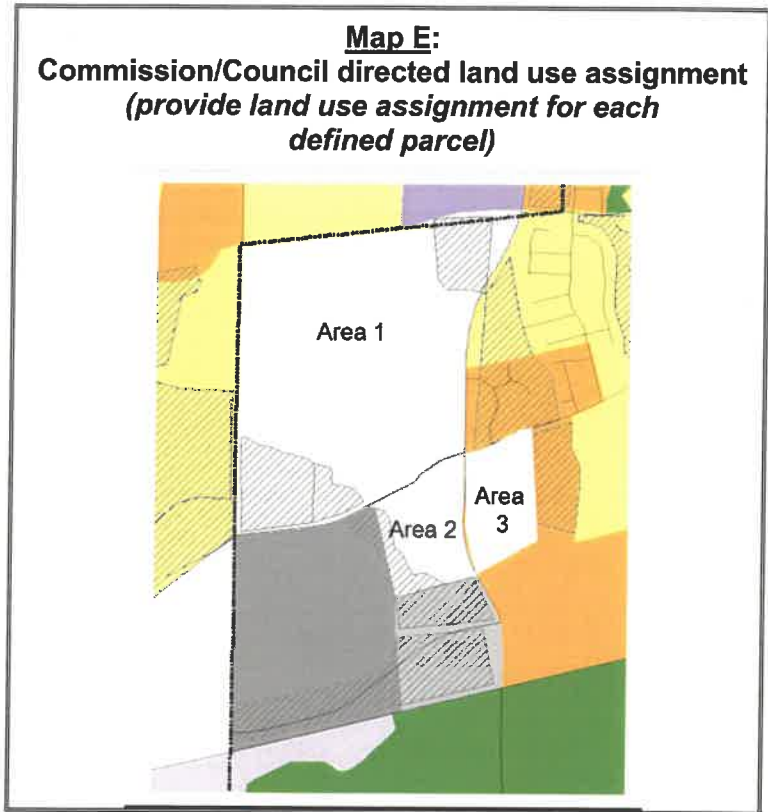
**Staff's Feb 18, 2021 recommendation:
Industrial Low south of future Thorne Drive to Booneville Road & Detached Residential north of Thorne Drive & Multi Use Low south of Booneville Road**



Map D

**Staff's August 29, 2022 recommendation:
Detached Residential north of Thorne Drive & Industrial Low south of future Thorne Drive & Relocate Multi Use Low to east side of S Grand Prairie Pkwy**





Lead Staff Member: Karen Marren

Approval Meeting Dates:

Planning and Zoning Commission	August 29, 2022 & September 12, 2022
City Council	September 13, 2022

Staff Report Reviews:

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

Publications (if applicable)

Published In:	Des Moines Register Community Section
Date(s) Published	P&Z: 8/19/2022 & 9/2/2022 CC: 8/26/2022 & 9/2/2022
Date(s) of Mailed Notices	N/A

Council Subcommittee Review (if applicable)

Subcommittee	Development & Planning
Date Reviewed	N/A
Recommendation	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Split

NEW Proposed Land Use	Current Adopted Land Use
Open Space	Open Space Parks & Greenway
Detached Residential	Low Density Residential Single Family Residential Manufactured Homes (standard lot)
Mixed Residential (Caps at 14du/ac)	Single Family Residential Manufactured Homes (park & standard SF lot) Medium Density Residential High Density Residential (up to 14 du/ac)
Multi Use Low (Caps at 14du/ac)	Single Family Residential Manufactured Homes (park & standard SF lot) Medium Density Residential High Density Residential (up to 14 du/ac) Neighborhood Commercial Convenience Commercial Valley Junction Commercial Historic Business District Office Light Industrial Mixed Use
Multi Use Medium (Caps at 22du/ac)	Medium Density Residential High Density Residential Neighborhood Commercial Convenience Commercial Community Commercial Support Commercial Support Office Highway Commercial Office Light Industrial Mixed Use
Multi Use High (Minimum 18du/ac)	High Density Residential (min. 18 du/ac) Regional Commercial Town Center Commercial Office Light Industrial Mixed Use
Industrial Low	Office Light Industrial Warehouse Retail Business Park
Industrial High	General Industrial

Land Use Assignment Considerations/Criteria

Though certainly not the only possible future, the arrangement of land uses within the undeveloped areas reflects the goals and strategies provided in the plan, basic rules of good planning, and the best understanding of existing environmental conditions and future conditions as related to roads and utility infrastructure.

- a. Land Context: (Environmentally Sensitive Areas)
 - i. Steep slopes (smaller footprint building types can be accommodated on steeper slopes)
 - ii. Drainage and Flood Hazard
 - iii. Tree canopy
- b. Streets as boundaries between different intensity land use classifications
- c. Street classification and access consideration for higher intensity classifications
- d. Walkability ($\frac{1}{2}$ and $\frac{1}{4}$ mile buffer areas) from non-residential land uses
- e. Community Facilities/Schools should be surrounded by residential
- f. Detached Residential (DR) should have nearby access to parks and open spaces, as well as nearby neighborhood scale retail and services.
- g. Mixed Residential (MR) land use areas are an appropriate transition use between the detached residential land use and non-residential use designations.
- h. Mixed Residential (MR) land use will be adjacent to or surrounding areas of multi-use to provide the roof tops needed to support retail, service and office uses and provide walkability from the residential neighborhoods to daily needs and support services.
- i. The Multi Use Low (MUL) land use classification is used to either provide areas for commercial nodes surrounded by residential land use areas or as a transition from higher intensity multi-use areas to residential neighborhoods.
- j. Multi Use Low (MUL) land uses should be located for necessary auto access off of collectors and local streets.
- k. Multi Use Medium (MUM) land use will provide larger commercial corridors or activity areas surrounded by residential land use areas or as a transition from higher intense classifications.
- l. The Multi Use Medium (MUM) classification is typically used as a transition between high intensity multi use and low intensity multi use areas or residential classifications. And would typically be buffered to any surrounding detached residential land use.
- m. Multi Use High (MUH) land use should be provided as either the core of a larger/urban scale activity center that draws from the broader region or as an auto oriented service and retail node located at an interchange for interstate and highway road classifications.
- n. Multi Use High (MUH) land use shall be located with service from highways and major arterials.
- o. Multi Use High (MUH) shall be located on one side of an interstate or highway rather than straddling major roadways to allow for interior walkability.
- p. Multi Use High (MUH) and Industrial High (IH) should not be adjacent to Single Family Detached.
- q. Due to the potential for truck traffic, Industrial Low (IL) land use areas are auto oriented and should be located along collector or higher classification of roadways.
- r. With large amounts of truck traffic Industrial High (IH) land use areas are auto oriented and should be located along major collector or arterial roadways.

A RESOLUTION OF THE PLAN AND ZONING COMMISSION
NO. PZC-22-083

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the Planning and Zoning Commission approves the recommendation of the assignment of land uses consistent with Map ____ as depicted on the motion illustration included in the staff report and/or detailed in the motion for property generally located west of S Grand Prairie Pkwy, east of S 115th Street/V Place, south of future Stagecoach Drive and north of Grand Ave; 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 the City Council approve the assignment of land uses for the Comprehensive Plan and Land Use Map as provided above, (CPA-005748-2022) 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 September 12, 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 September 12, 2022, by the following vote:

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

ATTEST:

Recording Secretary

Prepared by: Karen Marren, 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

RESOLUTION

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, Development Services staff request direction on the assignment of land use classifications for property generally located west of S Grand Prairie Pkwy, east of S 115th Street/V Place, south of future Stagecoach Drive and north of Grand Ave; 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, the Comprehensive Plan Land Use Map complies with applicable provisions of Iowa Code Chapter 414 and City Code; and

WHEREAS, on September 12, 2022, the Planning and Zoning Commission did recommend to the City Council, by a ____ - ____ vote, approval of the assignment of land use(s) as depicted in motion map ____ included in the staff report; and

WHEREAS, on this day this City Council held a duly noticed Public Hearing to consider the assignment of land use classifications to the subject property.

NOW, THEREFORE, The City Council hereby approves the assignment of land use classifications consistent with map ____ as depicted on the illustration included in the staff report and/or detailed in the motion (CPA-005748-2022), subject to compliance with all the conditions in the staff report, dated September 13, 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.

The City Council directs staff to update the 2022 adopted Comprehensive Plan Land Use Map to reflect the direction provided regarding the assignment of land use classifications.

PASSED AND ADOPTED on September 13, 2022.

Russ Trimble, Mayor

ATTEST:

Ryan Jacobson, City Clerk

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of West Des Moines, Iowa, at a regular meeting held on September 13, 2022, by the following vote.

**Exhibit A: Conditions of Approval
None**

CITY OF WEST DES MOINES STAFF REPORT COMMUNICATION

Meeting Date: September 13, 2022

ITEM: Comprehensive Plan Land Use Map – Provide direction to staff which land use classification(s) to apply – Wittern SE Property – CPA-005746-2022

ACTION: Provide Staff Direction and Recommend Appropriate Land Use Designation(s) to Apply

Background: The currently adopted Comprehensive Plan Land Use Map has 24 land use classifications and associated colors. The proposed new land use map has the following land use classifications and colors:

Open Space (OS)	Green
Detached Residential (DR)	Yellow
Mixed Residential (MR)	Orange
Multi Use Low (MUL)	Light Purple
Multi Use Medium	Medium Purple
Multi Use High (MUH)	Dark Purple
Industrial Low (IL)	Light Grey
Industrial High (IH)	Dark Grey

All properties within West Des Moines' Comprehensive Plan planning area will ultimately have the new classifications ("colors") applied. However, at this time, these new colors are only being applied to the 'undeveloped areas' as indicated on the map on page 81 of the main document. For the next few months, the currently adopted Comprehensive Plan's land use designations and colors will remain on the 'developed areas' of the city as indicated on page 79. It is staff's intention over the next few months to evaluate every developed parcel to determine which of the new land use designations best represents the built environment for a parcel. It is not anticipated that any developed property will undergo a change in zoning unless appropriate to bring the property into conformance with zoning. A table that identifies which 'old' Comprehensive Plan Land Use classifications are encompassed in each of the 'new' land use classifications is included in this report. This table assists staff in determining the appropriate new classification to apply.

As a result of outreach to explain to developers and landowners the new land use map approach, Staff became aware of five situations in which the property owner and staff disagreed on the land use to be assigned to their respective property. Knowing of this disagreement, the meeting to consider adoption of the overall Comprehensive Plan Update was set up with each of these areas to be discussed independently after consideration for adoption of the overall "undeveloped area" land use map. Contained in the staff report for each of these areas is information on the current land use, which new classifications would be equal to what is assigned today, staff's recommendation and rationale for such, and, if applicable, background on discussions had with the property owner(s). In light of the suggestion at the August 29th Planning and Zoning Commission meeting that the property owners did not want the overall Undeveloped Area Land Use Area Map adopted with a change in land use from what they currently have and/or desired for their property, staff has removed any land use designation from the respective properties. This will allow a recommendation on adoption of the overall "Undeveloped" Land Use Area Map first and then the Commission and subsequently Council determining what they believe is appropriate for land uses in each of the five situations. With this approach, there is no approval or denial of an "amendment" action but rather an approval motion providing direction to staff as to what

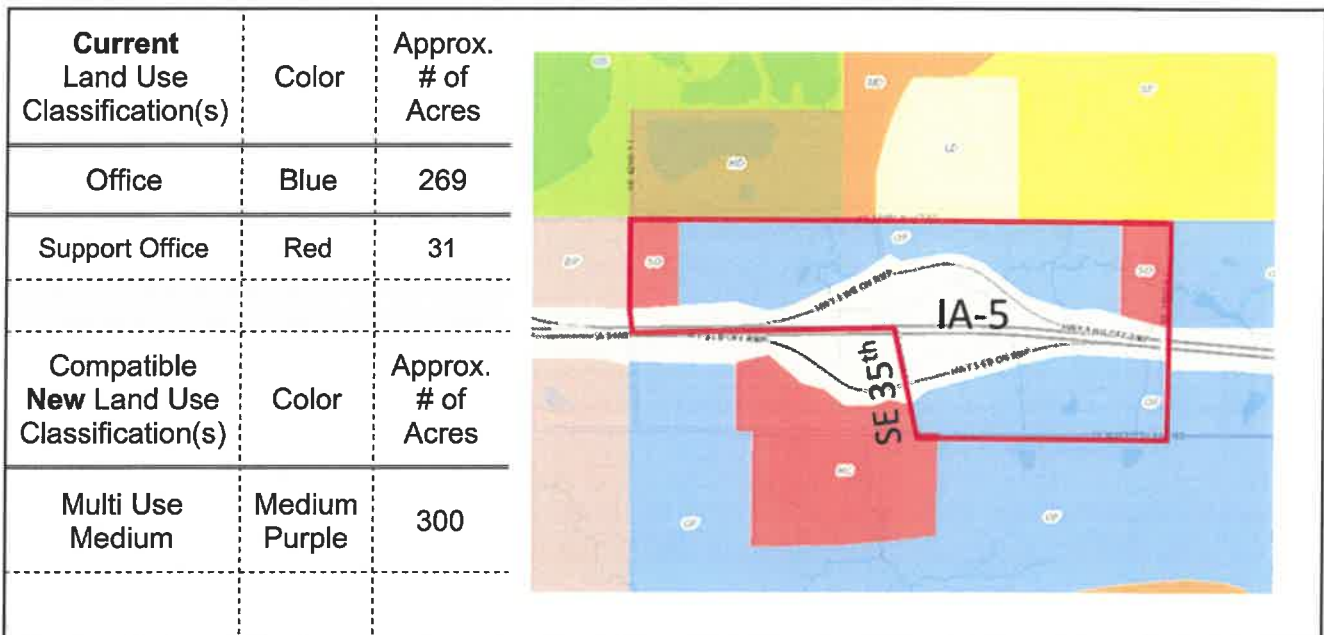
land use classification or color to apply in each situation. Based on these motions, the overall map will subsequently updated to reflect the Council's direction.

In developing the proposed new land use map, staff considered several factors in determining the best land use classification for the city's undeveloped areas. Included within this report is a list of general criteria considered in determining the assignment of land use classifications.

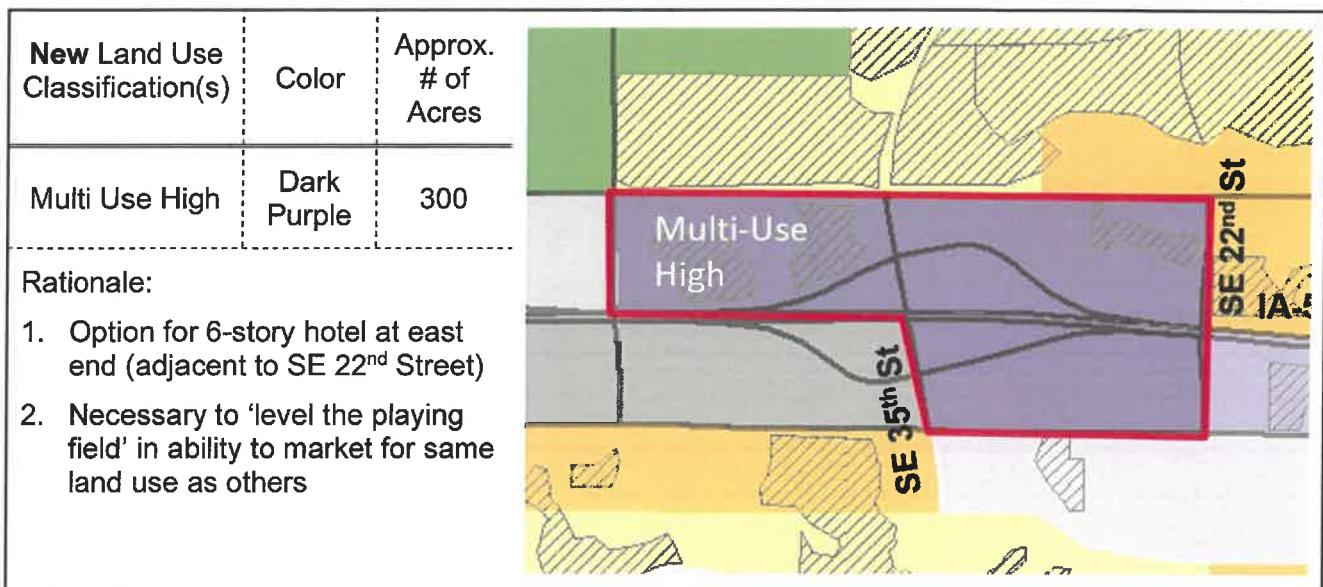
Wittern SE Property

Location: northwest, northeast and southeast corners of the intersection of IA-5 and SE 35th Street

Map A: Current Adopted Comprehensive Plan Land Use & Compatible New Land Use:



Map B: Property Owner's Desired Land Use (reflected with New Land Use Classification):



Staff's Original (1/19/2021) Recommended New Land Use Classification Assignment:

Land Use Classification	Color	Approx. # of Acres
Mixed Residential	Orange	200
Multi Use Medium	Medium Purple	100

Rationale:

1. Topography & environmental could affect site development potential
2. Compliments residential and recreational uses to the north
3. Multi Use High located at the more major interchange of Veterans Parkway and IA-5 serves residential to the north and motoring public.
4. South Multi Use Medium supports residential on south side of IA-5

Staff met with the applicant to discuss this area. The applicant discussed master planning concepts that they had developed including an office park and possible relocation of their manufacturing operation from its current location to the southeast corner of SE 42nd Street and IA-5. Around this same time, the South Branch development (northwest corner of SE 42nd Street and IA-5) was being discussed and an inquiry to again locate an implement dealer on the Speck ground occurred (west end of the southwest corner of SE 42nd and IA-5). In light of these aspects, staff modified the larger area from the primarily residential land use staff had initially intended for this area to that illustrated in Map C.

Staff did not support the assignment of Multi Use High as it has already been identified approximately ½ mile east at the primary intersection of IA-5 and Veterans Pkwy which will be the most accessible location. Multi Use High is intended as the core of larger urban area or auto-oriented service area with access from interstate or highway road classes

Staff did not support the placement of Multi Use High for purposes of a speculative 6-story hotel as the location is not adjacent to an interchange – a hotel traditionally will seek a location near a highway interchange or other tourist draw. Additionally, the argument that the applicant needs to be able to market the property the same as others is counter to the purpose of land use planning and zoning. Variety of land uses, and the location of such is the basis of zoning and how the city currently develops with some areas as commercial and others as primarily residential. The level of commercial also varies within the city with some areas at a smaller neighborhood scale and others such as the more intense and active commercial within and adjacent to the Jordan Creek Town Center. If the entire city were designated the same land use or zoning for purposes of marketing the ground for sale, one would not be able to determine what their next-door neighbor might be when making a decision about their neighborhood and what they desire to live close to.

Map C: Staff's Modified (02/23/2021) Recommended New Land Use Classification Assignment:

Land Use Classification	Color	Approx. # of Acres
Mixed Residential	Orange	45
Multi Use Medium	Medium Purple	255

Rationale:

- The indicated hotel, if located at the southwest corner of SE 22nd Street and SE Army Post Road would be at a non-interchange location. Given other commercial opportunities along IA-5 situated at either the interchange of SE 35th Street or Veterans Parkway, staff believe it is more likely that the hotel would desire those locations over a non-interchange roadway.
- With residential indicated to the north and east, and environmental elements suggesting smaller building footprints, staff believes Mixed Residential on the eastern 45-acres is appropriate.

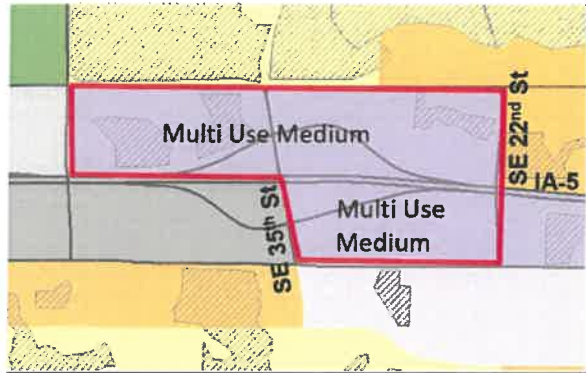
To aid the Commission and Council, the following motion options are available:

Motion to

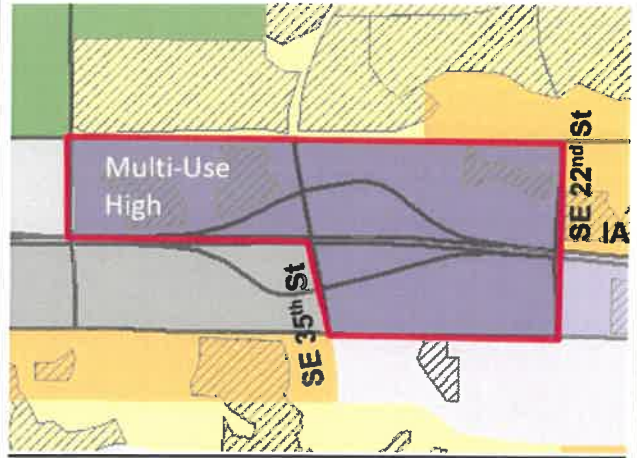
- Assign Land Use Classifications for the subject area consistent to currently adopted land use plan for 300-acres to Multi Use Medium as depicted in Map A illustration below; or
- Assign Land Use Classifications as desired by applicant to assign 300-acres as Multi Use High as depicted in Map B illustration below; or
- Assign Land Use Classifications as presented in Staff's Modified (02/23/2021) Recommended New Land Use Classification to assign 255-acres as Multi Use Medium and 45-acres as Mixed Residential as depicted in Map C illustration below; or
- Assign Land Use Classifications as follows: (*Commission and Council providing directions on what land uses to apply to each area indicated in Map D*).
 - area #1 of Map D as _____ land use
 - area #2 of Map D as _____ land use
 - area #3 of Map D as _____ land use
 - area #4 of Map D as _____ land use

Motion Illustrations:

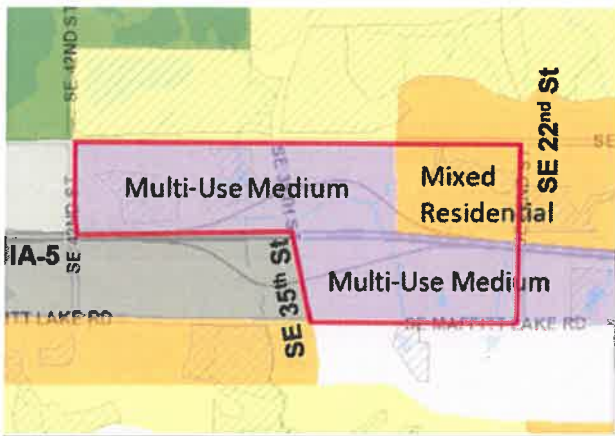
Map A: Match to current land use by assigning entire area to Multi Use Medium Land Use



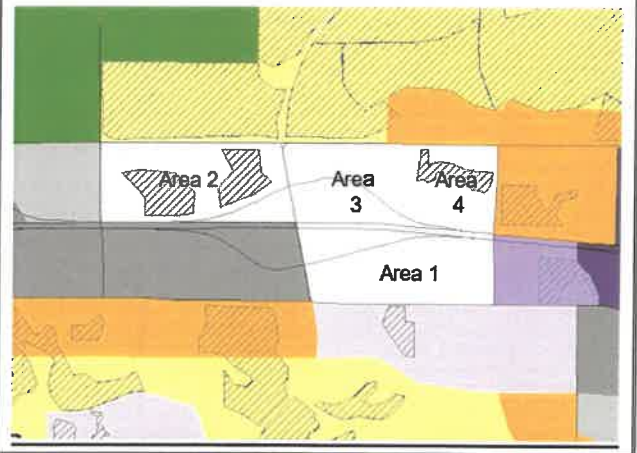
Map B: Desired by Applicant assigning 300-acres as Multi Use High Land Use



Map C: Staff Proposed to assign 255-acres as Multi Use Medium and 45-acres as Mixed Residential



Map D: Commission/Council directed land use assignment (provide land use assignment for each defined parcel)



Lead Staff Member: Karen Marren

Approval Meeting Dates:

Planning and Zoning Commission	August 29, 2022 & September 12, 2022
City Council	September 13, 2022

Staff Report Reviews:

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

Publications (if applicable)

Published In:	Des Moines Register Community Section
Date(s) Published	P&Z: 8/19/2022 & 9/2/2022 CC: 8/26/2022 & 9/2/2022
Date(s) of Mailed Notices	N/A

Council Subcommittee Review (if applicable)

Subcommittee	Development & Planning
Date Reviewed	N/A
Recommendation	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Split

NEW Proposed Land Use	Current Adopted Land Use
Open Space	Open Space Parks & Greenway
Detached Residential	Low Density Residential Single Family Residential Manufactured Homes (standard lot)
Mixed Residential (Caps at 14du/ac)	Single Family Residential Manufactured Homes (park & standard SF lot) Medium Density Residential High Density Residential (up to 14 du/ac)
Multi Use Low (Caps at 14du/ac)	Single Family Residential Manufactured Homes (park & standard SF lot) Medium Density Residential High Density Residential (up to 14 du/ac) Neighborhood Commercial Convenience Commercial Valley Junction Commercial Historic Business District Office Light Industrial Mixed Use
Multi Use Medium (Caps at 22du/ac)	Medium Density Residential High Density Residential Neighborhood Commercial Convenience Commercial Community Commercial Support Commercial Support Office Highway Commercial Office Light Industrial Mixed Use
Multi Use High (Minimum 18du/ac)	High Density Residential (min. 18 du/ac) Regional Commercial Town Center Commercial Office Light Industrial Mixed Use
Industrial Low	Office Light Industrial Warehouse Retail Business Park
Industrial High	General Industrial

Land Use Assignment Considerations/Criteria

Though certainly not the only possible future, the arrangement of land uses within the undeveloped areas reflects the goals and strategies provided in the plan, basic rules of good planning, and the best understanding of existing environmental conditions and future conditions as related to roads and utility infrastructure.

- a. Land Context: (Environmentally Sensitive Areas)
 - i. Steep slopes (smaller footprint building types can be accommodated on steeper slopes)
 - ii. Drainage and Flood Hazard
 - iii. Tree canopy
- b. Streets as boundaries between different intensity land use classifications
- c. Street classification and access consideration for higher intensity classifications
- d. Walkability ($\frac{1}{2}$ and $\frac{1}{4}$ mile buffer areas) from non-residential land uses
- e. Community Facilities/Schools should be surrounded by residential
- f. Detached Residential (DR) should have nearby access to parks and open spaces, as well as nearby neighborhood scale retail and services.
- g. Mixed Residential (MR) land use areas are an appropriate transition use between the detached residential land use and non-residential use designations.
- h. Mixed Residential (MR) land use will be adjacent to or surrounding areas of multi-use to provide the roof tops needed to support retail, service and office uses and provide walkability from the residential neighborhoods to daily needs and support services.
- i. The Multi Use Low (MUL) land use classification is used to either provide areas for commercial nodes surrounded by residential land use areas or as a transition from higher intensity multi-use areas to residential neighborhoods.
- j. Multi Use Low (MUL) land uses should be located for necessary auto access off of collectors and local streets.
- k. Multi Use Medium (MUM) land use will provide larger commercial corridors or activity areas surrounded by residential land use areas or as a transition from higher intense classifications.
- l. The Multi Use Medium (MUM) classification is typically used as a transition between high intensity multi use and low intensity multi use areas or residential classifications. And would typically be buffered to any surrounding detached residential land use.
- m. Multi Use High (MUH) land use should be provided as either the core of a larger/urban scale activity center that draws from the broader region or as an auto oriented service and retail node located at an interchange for interstate and highway road classifications.
- n. Multi Use High (MUH) land use shall be located with service from highways and major arterials.
- o. Multi Use High (MUH) shall be located on one side of an interstate or highway rather than straddling major roadways to allow for interior walkability.
- p. Multi Use High (MUH) and Industrial High (IH) should not be adjacent to Single Family Detached.
- q. Due to the potential for truck traffic, Industrial Low (IL) land use areas are auto oriented and should be located along collector or higher classification of roadways.
- r. With large amounts of truck traffic Industrial High (IH) land use areas are auto oriented and should be located along major collector or arterial roadways.

A RESOLUTION OF THE PLAN AND ZONING COMMISSION
NO. PZC-22-081

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the Planning and Zoning Commission approves the recommendation of the assignment of land uses consistent with Map _____ as depicted on the motion illustration included in the staff report and/or detailed in the motion for property generally located at the northwest, northeast and southeast corners of the intersection of IA-5 and SE 35th Street; 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 the City Council approve the assignment of land uses for the Comprehensive Plan and Land Use Map as provided above, (CPA-005746-2022) 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 September 12, 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 September 12, 2022, by the following vote:

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

ATTEST:

Recording Secretary

Prepared by: Karen Marren, 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

RESOLUTION

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, Development Services staff request direction on the assignment of land use classifications for property generally located at the northwest, northeast and southeast corners of the intersection of IA-5 and SE 35th Street; 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, the Comprehensive Plan Land Use Map complies with applicable provisions of Iowa Code Chapter 414 and City Code; and

WHEREAS, on September 12, 2022, the Planning and Zoning Commission did recommend to the City Council, by a ____ - ____ vote, approval of the assignment of land use(s) as depicted in motion map _____ included in the staff report; and

WHEREAS, on this day this City Council held a duly noticed Public Hearing to consider the assignment of land use classifications to the subject property.

NOW, THEREFORE, The City Council hereby approves the assignment of land use classifications consistent with Map _____ as depicted on the illustration included in the staff report and/or detailed in the motion (CPA-005746-2022), subject to compliance with all the conditions in the staff report, dated September 13, 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.

The City Council directs staff to update the 2022 adopted Comprehensive Plan Land Use Map to reflect the direction provided regarding the assignment of land use classifications.

PASSED AND ADOPTED on September 13, 2022.

Russ Trimble, Mayor

ATTEST:

Ryan Jacobson, City Clerk

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of West Des Moines, Iowa, at a regular meeting held on September 13, 2022, by the following vote.

Exhibit A: Conditions of Approval
None

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

Meeting Date: September 13, 2022

ITEM: Comprehensive Plan Land Use Map – Provide direction to staff which land use classification(s) to apply - Wittern SW Property – CPA-005747-2022

ACTION: Provide Staff Direction and Recommend Appropriate Land Use Designation(s) to Apply

Background: The currently adopted Comprehensive Plan Land Use Map has 24 land use classifications and associated colors. The proposed new land use map has the following land use classifications and colors:

Open Space (OS)	Green
Detached Residential (DR)	Yellow
Mixed Residential (MR)	Orange
Multi Use Low (MUL)	Light Purple
Multi Use Medium	Medium Purple
Multi Use High (MUH)	Dark Purple
Industrial Low (IL)	Light Grey
Industrial High (IH)	Dark Grey

All properties within West Des Moines’ Comprehensive Plan planning area will ultimately have the new classifications (“colors”) applied. However, at this time, these new colors are only being applied to the ‘undeveloped areas’ as indicated on the map on page 81 of the main document. For the next few months, the currently adopted Comprehensive Plan’s land use designations and colors will remain on the ‘developed areas’ of the city as indicated on page 79. It is staff’s intention over the next few months to evaluate every developed parcel to determine which of the new land use designations best represents the built environment for a parcel. It is not anticipated that any developed property will undergo a change in zoning unless appropriate to bring the property into conformance with zoning. A table that identifies which ‘old’ Comprehensive Plan Land Use classifications are encompassed in each of the ‘new’ land use classifications is included in this report. This table assists staff in determining the appropriate new classification to apply.

As a result of outreach to explain to developers and landowners the new land use map approach, Staff became aware of five situations in which the property owner and staff disagreed on the land use to be assigned to their respective property. Knowing of this disagreement, the meeting to consider adoption of the overall Comprehensive Plan Update was set up with each of these areas to be discussed independently after consideration for adoption of the overall “undeveloped area” land use map. Contained in the staff report for each of these areas is information on the current land use, which new classifications would be equal to what is assigned today, staff’s recommendation and rationale for such, and, if applicable, background on discussions had with the property owner(s). In light of the suggestion at the August 29th Planning and Zoning Commission meeting that the property owners did not want the overall Undeveloped Area Land Use Area Map adopted with a change in land use from what they currently have and/or desired for their property, staff has removed any land use designation from the respective properties. This will allow a recommendation on adoption of the overall “Undeveloped” Land Use Area Map first and then the Commission and subsequently Council determining what they believe is appropriate for land uses in each of the five situations. With this approach, there is no approval or denial of an “amendment” action but rather an approval motion providing direction to staff as to what

land use classification or color to apply in each situation. Based on these motions, the overall map will subsequently updated to reflect the Council’s direction.

In developing the proposed new land use map, staff considered several factors in determining the best land use classification for the city’s undeveloped areas. Included within this report is a list of general criteria considered in determining the assignment of land use classifications.

Wittern SW Property

Location: northeast corner of SW Grand Prairie Parkway and Veterans Parkway

The County Assessor indicates a 3-acre homestead, as well as the eastern 40-acres within the identified subject area are owned by another entity. The eastern 40-acres is included in this discussion as a roadway along the east boundary would be used as the dividing line between land uses.

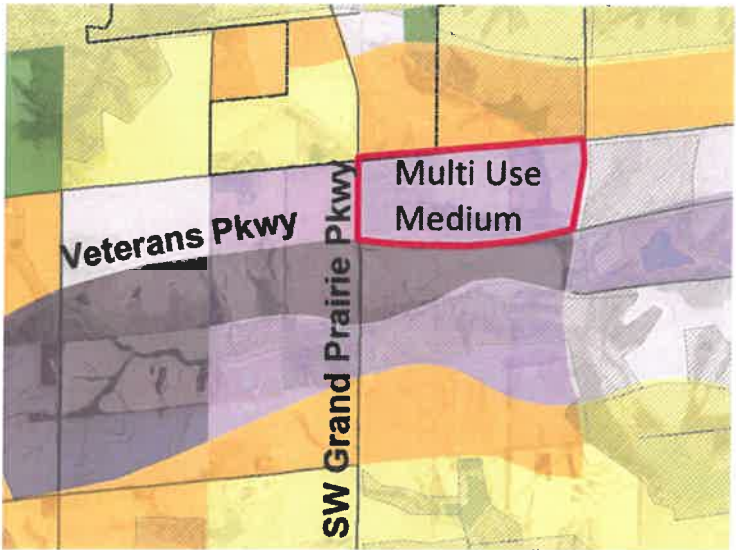
Current Adopted Comprehensive Plan Land Use & Compatible New Land Use:

Current Land Use Classification(s)	Color	Approx. # of Acres
Office	Blue	110
Support Office	Red	15
Compatible New Land Use Classification(s)	Color	Approx. # of Acres
Multi Use Medium	Medium Purple	125

Map A: Property Owner’s Desired Land Use (reflected with New Land Use Classification):

New Land Use Classification(s)	Color	Approx. # of Acres
Multi Use High	Dark Purple	125
<p>Rationale:</p> <ol style="list-style-type: none"> 1. Allow the highest intensity and range of land use options and necessary to ‘level the playing field’ in ability to market for same land use as others 		

Map B: Staff's Original (1/19/2021) Recommended New Land Use Classification Assignment:

New Land Use Classification(s)	Color	Approx. # of Acres	
Multi Use Medium	Medium Purple	125	
<p>Rationale:</p> <ol style="list-style-type: none"> 1. This area provides mid-level services in walking distance to residential uses on the north side of Veterans Parkway within the barrier of SW Grand Prairie Parkway or Veterans Parkway. 2. Multi Use Medium is intended as a more walkable environment than is Multi Use High which is more auto oriented and dominated. 3. Locating all of the high intensity commercial on one side of Veterans allows for a more compact and cohesive development area. 4. Multi Use Medium and Multi Use Low land use areas are designated to provide larger commercial corridors or activity areas adjacent to and surrounded by residential land use areas or to serve as a transition from higher intense classifications. The low and medium multi use areas provide the essential transition and buffering needed for the potential establishment of a future entertainment district or town center type area with its core located south of Veterans Parkway. 5. Of all existing buildings within the city, only 0.48% would necessitate being located within the Multi Use High classification. Excluding Open Space and Detached Residential, approximately 7% of the Undeveloped Area is already identified for Multi Use High which staff believes is more than adequate to accommodate large buildings 			

After multiple discussion with the applicant about land use in this area and based off potential concept development plans provided by the applicant, it was determined the Multi Use Medium (MUM) land use could accommodate the applicant's plans. Additionally, as indicated in the Wittern SE Area discussion, the argument that the applicant needs to be able to market the property the same as others is counter to the purpose of land use planning and zoning. Variety of land uses, and the location of such is the basis of zoning and how the city currently develops with some areas as commercial and others as primarily residential. The level of commercial also varies within the city with some areas at a smaller neighborhood scale and others such as the more intense and active commercial within and adjacent to the Jordan Creek Town Center. If the entire city were designated the same land use or zoning for purposes of marketing the ground for sale, one would not be able to determine what their next-door neighbor might be when making a decision about their neighborhood and what they desire to live close to.

Staff's original recommendation remains that the area on the north side of Veterans Parkway should remain as Multi Use Medium Land Use Classification.

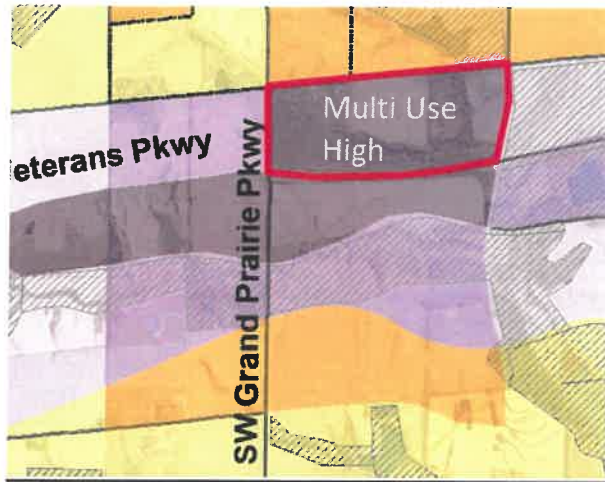
To aid the Commission and Council, the following motion options are available:

Motion to

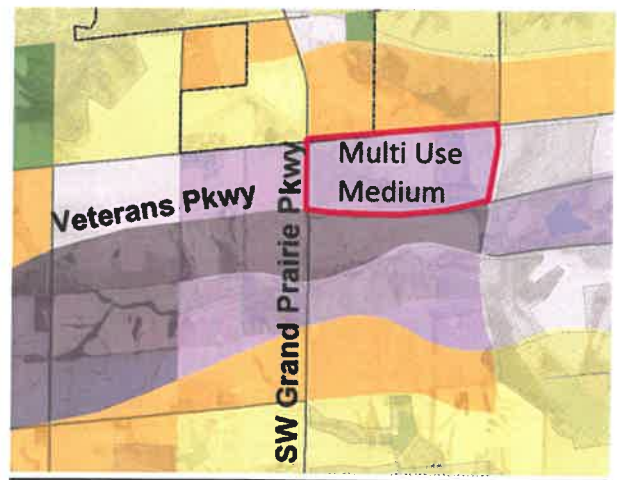
- (1) Assign Multi Use High Land Use Classification as requested by the applicant and depicted in Map A illustration below; or
- (2) Assign Multi Use Medium Land Use Classification as presented by staff and depicted in Map B illustration below; or
- (3) Assign Land Use Classifications as follows: (*Commission and Council providing directions on what land uses to apply to each area indicated in Option C*).
 - area #1 of Map C as _____ land use

Motion Illustrations:

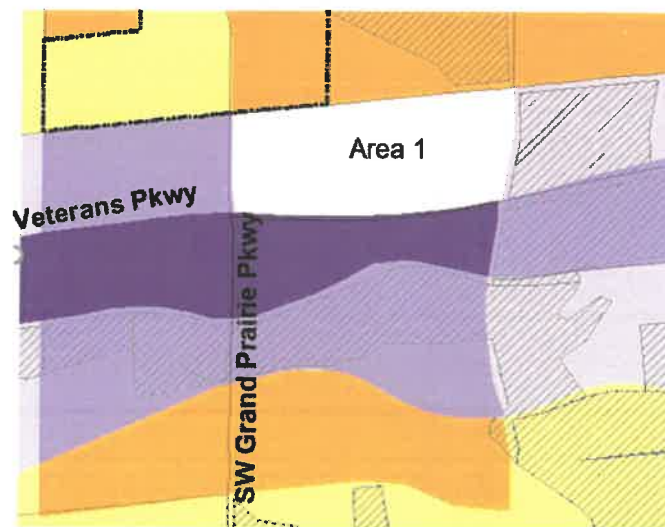
Map A: Assign Multi Use High consistent to applicant's desire



Map B: Assign Multi Use Medium as proposed by staff



Map C: Commission/Council directed land use assignment (provide land use assignment for each defined parcel)



Lead Staff Member: Karen Marren

Approval Meeting Dates:

Planning and Zoning Commission	August 29, 2022 & September 12, 2022
City Council	September 13, 2022

Staff Report Reviews:

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

Publications (if applicable)

Published In:	Des Moines Register Community Section
Date(s) Published	P&Z: 8/19/2022 & 9/2/2022 CC: 8/26/2022 & 9/2/2022
Date(s) of Mailed Notices	N/A

Council Subcommittee Review (if applicable)

Subcommittee	Development & Planning
Date Reviewed	N/A
Recommendation	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Split

NEW Proposed Land Use	Current Adopted Land Use
Open Space	Open Space Parks & Greenway
Detached Residential	Low Density Residential Single Family Residential Manufactured Homes (standard lot)
Mixed Residential (Caps at 14du/ac)	Single Family Residential Manufactured Homes (park & standard SF lot) Medium Density Residential High Density Residential (up to 14 du/ac)
Multi Use Low (Caps at 14du/ac)	Single Family Residential Manufactured Homes (park & standard SF lot) Medium Density Residential High Density Residential (up to 14 du/ac) Neighborhood Commercial Convenience Commercial Valley Junction Commercial Historic Business District Office Light Industrial Mixed Use
Multi Use Medium (Caps at 22du/ac)	Medium Density Residential High Density Residential Neighborhood Commercial Convenience Commercial Community Commercial Support Commercial Support Office Highway Commercial Office Light Industrial Mixed Use
Multi Use High (Minimum 18du/ac)	High Density Residential (min. 18 du/ac) Regional Commercial Town Center Commercial Office Light Industrial Mixed Use
Industrial Low	Office Light Industrial Warehouse Retail Business Park
Industrial High	General Industrial

Land Use Assignment Considerations/Criteria

Though certainly not the only possible future, the arrangement of land uses within the undeveloped areas reflects the goals and strategies provided in the plan, basic rules of good planning, and the best understanding of existing environmental conditions and future conditions as related to roads and utility infrastructure.

- a. Land Context: (Environmentally Sensitive Areas)
 - i. Steep slopes (smaller footprint building types can be accommodated on steeper slopes)
 - ii. Drainage and Flood Hazard
 - iii. Tree canopy
- b. Streets as boundaries between different intensity land use classifications
- c. Street classification and access consideration for higher intensity classifications
- d. Walkability ($\frac{1}{2}$ and $\frac{1}{4}$ mile buffer areas) from non-residential land uses
- e. Community Facilities/Schools should be surrounded by residential
- f. Detached Residential (DR) should have nearby access to parks and open spaces, as well as nearby neighborhood scale retail and services.
- g. Mixed Residential (MR) land use areas are an appropriate transition use between the detached residential land use and non-residential use designations.
- h. Mixed Residential (MR) land use will be adjacent to or surrounding areas of multi-use to provide the roof tops needed to support retail, service and office uses and provide walkability from the residential neighborhoods to daily needs and support services.
- i. The Multi Use Low (MUL) land use classification is used to either provide areas for commercial nodes surrounded by residential land use areas or as a transition from higher intensity multi-use areas to residential neighborhoods.
- j. Multi Use Low (MUL) land uses should be located for necessary auto access off of collectors and local streets.
- k. Multi Use Medium (MUM) land use will provide larger commercial corridors or activity areas surrounded by residential land use areas or as a transition from higher intense classifications.
- l. The Multi Use Medium (MUM) classification is typically used as a transition between high intensity multi use and low intensity multi use areas or residential classifications. And would typically be buffered to any surrounding detached residential land use.
- m. Multi Use High (MUH) land use should be provided as either the core of a larger/urban scale activity center that draws from the broader region or as an auto oriented service and retail node located at an interchange for interstate and highway road classifications.
- n. Multi Use High (MUH) land use shall be located with service from highways and major arterials.
- o. Multi Use High (MUH) shall be located on one side of an interstate or highway rather than straddling major roadways to allow for interior walkability.
- p. Multi Use High (MUH) and Industrial High (IH) should not be adjacent to Single Family Detached.
- q. Due to the potential for truck traffic, Industrial Low (IL) land use areas are auto oriented and should be located along collector or higher classification of roadways.
- r. With large amounts of truck traffic Industrial High (IH) land use areas are auto oriented and should be located along major collector or arterial roadways.

A RESOLUTION OF THE PLAN AND ZONING COMMISSION
NO. PZC-22-082

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the Planning and Zoning Commission approves the recommendation of the assignment of land uses consistent with Map _____ as depicted on the motion illustration included in the staff report and/or detailed in the motion for property generally located northeast corner of SW Grand Prairie Parkway and Veterans Parkway; 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 the City Council approve the assignment of land uses for the Comprehensive Plan and Land Use Map as provided above, (CPA-005747-2022) 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 September 12, 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 September 12, 2022, by the following vote:

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

ATTEST:

Recording Secretary

Prepared by: Karen Marren, 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

RESOLUTION

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, Development Services staff request direction on the assignment of land use classifications for property generally located northeast corner of SW Grand Prairie Parkway and Veterans Parkway; 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, the Comprehensive Plan Land Use Map complies with applicable provisions of Iowa Code Chapter 414 and City Code; and

WHEREAS, on September 12, 2022, the Planning and Zoning Commission did recommend to the City Council, by a ____ - ____ vote, approval of the assignment of land use(s) as depicted in motion map ____ included in the staff report; and

WHEREAS, on this day this City Council held a duly noticed Public Hearing to consider the assignment of land use classifications to the subject property.

NOW, THEREFORE, The City Council hereby approves the assignment of land use classifications consistent with Map ____ as depicted on the illustration included in the staff report and/or detailed in the motion (CPA-005747-2022), subject to compliance with all the conditions in the staff report, dated September 13, 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.

The City Council directs staff to update the 2022 adopted Comprehensive Plan Land Use Map to reflect the direction provided regarding the assignment of land use classifications.

PASSED AND ADOPTED on September 13, 2022.

Russ Trimble, Mayor

ATTEST:

Ryan Jacobson, City Clerk

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of West Des Moines, Iowa, at a regular meeting held on September 13, 2022, by the following vote.

Exhibit A: Conditions of Approval
None

CITY OF WEST DES MOINES STAFF REPORT COMMUNICATION

Meeting Date: September 13, 2022

ITEM: Comprehensive Plan Land Use Map – Provide direction to staff which land use classification(s) to apply - Sweeney Property – CPA-005749-2022

ACTION: Provide Staff Direction and Recommend Appropriate Land Use Designation(s) to Apply

Background: The currently adopted Comprehensive Plan Land Use Map has 24 land use classifications and associated colors. The proposed new land use map has the following land use classifications and colors:

Open Space (OS)	Green
Detached Residential (DR)	Yellow
Mixed Residential (MR)	Orange
Multi Use Low (MUL)	Light Purple
Multi Use Medium	Medium Purple
Multi Use High (MUH)	Dark Purple
Industrial Low (IL)	Light Grey
Industrial High (IH)	Dark Grey

All properties within West Des Moines' Comprehensive Plan planning area will ultimately have the new classifications ("colors") applied. However, at this time, these new colors are only being applied to the 'undeveloped areas' as indicated on the map on page 81 of the main document. For the next few months, the currently adopted Comprehensive Plan's land use designations and colors will remain on the 'developed areas' of the city as indicated on page 79. It is staff's intention over the next few months to evaluate every developed parcel to determine which of the new land use designations best represents the built environment for a parcel. It is not anticipated that any developed property will undergo a change in zoning unless appropriate to bring the property into conformance with zoning. A table that identifies which 'old' Comprehensive Plan Land Use classifications are encompassed in each of the 'new' land use classifications is included in this report. This table assists staff in determining the appropriate new classification to apply.

As a result of outreach to explain to developers and landowners the new land use map approach, Staff became aware of five situations in which the property owner and staff disagreed on the land use to be assigned to their respective property. Knowing of this disagreement, the meeting to consider adoption of the overall Comprehensive Plan Update was set up with each of these areas to be discussed independently after consideration for adoption of the overall "undeveloped area" land use map. Contained in the staff report for each of these areas is information on the current land use, which new classifications would be equal to what is assigned today, staff's recommendation and rationale for such, and, if applicable, background on discussions had with the property owner(s). In light of the suggestion at the August 29th Planning and Zoning Commission meeting that the property owners did not want the overall Undeveloped Area Land Use Area Map adopted with a change in land use from what they currently have and/or desired for their property, staff has removed any land use designation from the respective properties. This will allow a recommendation on adoption of the overall "Undeveloped" Land Use Area Map first and then the Commission and subsequently Council determining what they believe is appropriate for land uses in each of the five situations. With this approach, there is no approval or denial of an "amendment" action but rather an approval motion providing direction to staff as to what

land use classification or color to apply in each situation. Based on these motions, the overall map will subsequently updated to reflect the Council's direction.

In developing the proposed new land use map, staff considered several factors in determining the best land use classification for the city's undeveloped areas. Included within this report is a list of general criteria considered in determining the assignment of land use classifications.

Sweeney Property

Location: northeast corner of S Grand Prairie Pkwy and Mills Civic Pkwy

As indicated in the staff report for the main document, staff corrected a mapping area that incorrectly showed this parcel as Open Space. As illustrated below, this parcel is Medium Density Residential on the currently adopted Land Use Map.

Current Adopted Comprehensive Plan Land Use & Compatible New Land Use:

Current Land Use Classification(s)	Color	Approx. # of Acres
Medium Density Residential	Orange	5.6
Compatible New Land Use Classification(s)	Color	Approx. # of Acres
Mixed Residential	Orange	5.6

Map A: Property Owner's Desired Land Use (reflected with New Land Use Classification):

New Land Use Classification(s)	Color	Approx. # of Acres
Multi Use Low	Light Purple	5.6
<p>Rationale:</p> <p>Accommodate possible development of a convenience store or other commercial due to adjacency to intersection of two arterial roadways.</p>		

Map B: Staff's Recommended New Land Use Classification Assignment:

New Land Use Classification	Color	Approx. # of Acres
Mixed Residential	Orange	5.6
<p>Rationale:</p> <ol style="list-style-type: none"> Sufficient commercial designated areas in proximity: <ol style="list-style-type: none"> Multi Use Medium land use assigned for area at I-80 & S Grand Prairie Pkwy – ½ mile to the north Multi Use Medium land use assigned for SW corner of S Grand Prairie Pkwy and Stagecoach Dr. – ¼ mile to the south Property may have limited access – commercial use, especially a convenience store likely to have more in-out traffic than residential which could pose a safety risk for entering/exiting traffic. Signalization may not be possible. 		

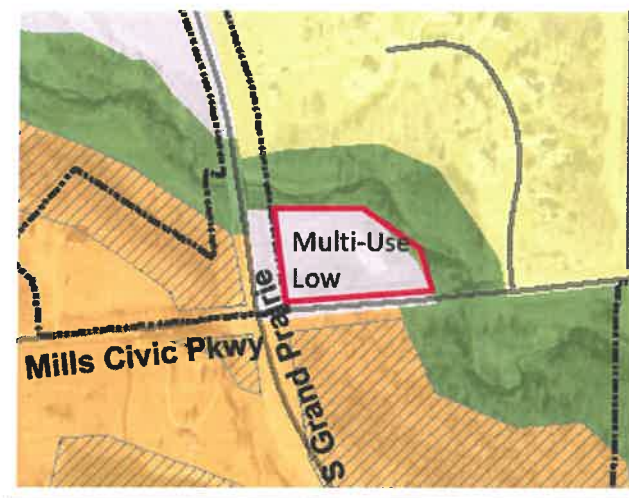
To aid the Commission and Council, the following motion options are available:

Motion to

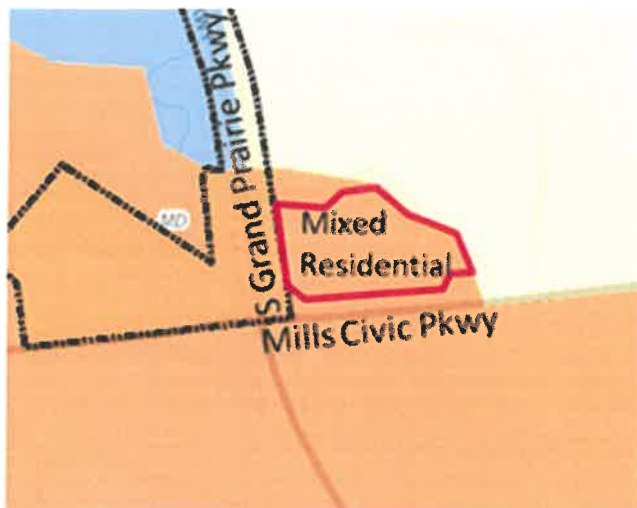
- (1) Assign Land Use Classifications as desired by property owner to Multi Use Low Land Use as depicted in Map A illustration; or
- (2) Assign Land Use Classifications as presented by staff and depicted in Map B illustration; or
- (3) Assign Land Use Classifications as follows: (*Commission and Council providing directions on what land uses to apply to each area indicated in Map C*).
 - area #1 as _____ land use

Motion Illustrations:

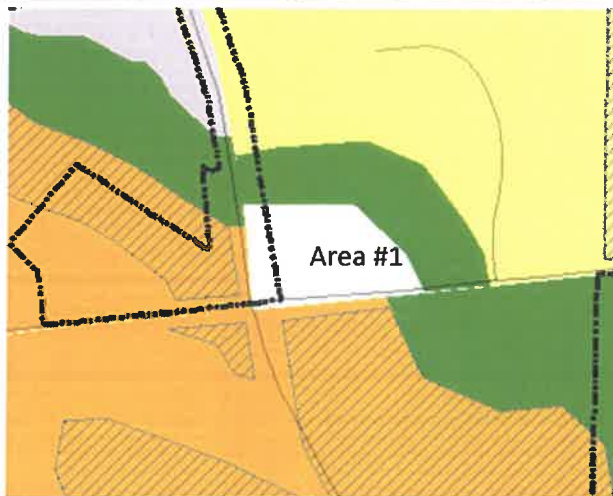
Map A: Assign as desired by Property Owner



Map B: Assign as presented by staff



Map C: Commission/Council directed land use assignment
(provide land use assignment for defined parcel)



Lead Staff Member: Karen Marren

Approval Meeting Dates:

Planning and Zoning Commission	August 29, 2022 & September 12, 2022
City Council	September 13, 2022

Staff Report Reviews:

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

Publications (if applicable)

Published In:	Des Moines Register Community Section
Date(s) Published	P&Z: 8/19/2022 & 9/2/2022 CC: 8/26/2022 & 9/2/2022
Date(s) of Mailed Notices	N/A

Council Subcommittee Review (if applicable)

Subcommittee	Development & Planning
Date Reviewed	N/A
Recommendation	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Split

NEW Proposed Land Use	Current Adopted Land Use
Open Space	Open Space Parks & Greenway
Detached Residential	Low Density Residential Single Family Residential Manufactured Homes (standard lot)
Mixed Residential (Caps at 14du/ac)	Single Family Residential Manufactured Homes (park & standard SF lot) Medium Density Residential High Density Residential (up to 14 du/ac)
Multi Use Low (Caps at 14du/ac)	Single Family Residential Manufactured Homes (park & standard SF lot) Medium Density Residential High Density Residential (up to 14 du/ac) Neighborhood Commercial Convenience Commercial Valley Junction Commercial Historic Business District Office Light Industrial Mixed Use
Multi Use Medium (Caps at 22du/ac)	Medium Density Residential High Density Residential Neighborhood Commercial Convenience Commercial Community Commercial Support Commercial Support Office Highway Commercial Office Light Industrial Mixed Use
Multi Use High (Minimum 18du/ac)	High Density Residential (min. 18 du/ac) Regional Commercial Town Center Commercial Office Light Industrial Mixed Use
Industrial Low	Office Light Industrial Warehouse Retail Business Park
Industrial High	General Industrial

Land Use Assignment Considerations/Criteria

Though certainly not the only possible future, the arrangement of land uses within the undeveloped areas reflects the goals and strategies provided in the plan, basic rules of good planning, and the best understanding of existing environmental conditions and future conditions as related to roads and utility infrastructure.

- a. Land Context: (Environmentally Sensitive Areas)
 - i. Steep slopes (smaller footprint building types can be accommodated on steeper slopes)
 - ii. Drainage and Flood Hazard
 - iii. Tree canopy
- b. Streets as boundaries between different intensity land use classifications
- c. Street classification and access consideration for higher intensity classifications
- d. Walkability ($\frac{1}{2}$ and $\frac{1}{4}$ mile buffer areas) from non-residential land uses
- e. Community Facilities/Schools should be surrounded by residential
- f. Detached Residential (DR) should have nearby access to parks and open spaces, as well as nearby neighborhood scale retail and services.
- g. Mixed Residential (MR) land use areas are an appropriate transition use between the detached residential land use and non-residential use designations.
- h. Mixed Residential (MR) land use will be adjacent to or surrounding areas of multi-use to provide the roof tops needed to support retail, service and office uses and provide walkability from the residential neighborhoods to daily needs and support services.
- i. The Multi Use Low (MUL) land use classification is used to either provide areas for commercial nodes surrounded by residential land use areas or as a transition from higher intensity multi-use areas to residential neighborhoods.
- j. Multi Use Low (MUL) land uses should be located for necessary auto access off of collectors and local streets.
- k. Multi Use Medium (MUM) land use will provide larger commercial corridors or activity areas surrounded by residential land use areas or as a transition from higher intense classifications.
- l. The Multi Use Medium (MUM) classification is typically used as a transition between high intensity multi use and low intensity multi use areas or residential classifications. And would typically be buffered to any surrounding detached residential land use.
- m. Multi Use High (MUH) land use should be provided as either the core of a larger/urban scale activity center that draws from the broader region or as an auto oriented service and retail node located at an interchange for interstate and highway road classifications.
- n. Multi Use High (MUH) land use shall be located with service from highways and major arterials.
- o. Multi Use High (MUH) shall be located on one side of an interstate or highway rather than straddling major roadways to allow for interior walkability.
- p. Multi Use High (MUH) and Industrial High (IH) should not be adjacent to Single Family Detached.
- q. Due to the potential for truck traffic, Industrial Low (IL) land use areas are auto oriented and should be located along collector or higher classification of roadways.
- r. With large amounts of truck traffic Industrial High (IH) land use areas are auto oriented and should be located along major collector or arterial roadways.

A RESOLUTION OF THE PLAN AND ZONING COMMISSION
NO. PZC-22-084

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the Planning and Zoning Commission approves the recommendation of the assignment of land uses consistent with Map _____ as depicted on the motion illustration included in the staff report and/or detailed in the motion for property generally located at the northeast corner of S Grand Prairie Pkwy and Mills Civic Pkwy; 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 the City Council approve the assignment of land uses for the Comprehensive Plan and Land Use Map as provided above, (CPA-005749-2022) 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 September 12, 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 September 12, 2022, by the following vote:

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

ATTEST:

Recording Secretary

Prepared by: Karen Marren, 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

RESOLUTION

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, Development Services staff request direction on the assignment of land use classifications for property generally located at the northeast corner of Mills Civic Parkway and S Grand Prairie Parkway; 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, the Comprehensive Plan Land Use Map complies with applicable provisions of Iowa Code Chapter 414 and City Code; and

WHEREAS, on September 12, 2022, the Planning and Zoning Commission did recommend to the City Council, by a ____ - ____ vote, approval of the assignment of land use(s) as depicted in motion map _____ included in the staff report; and

WHEREAS, on this day this City Council held a duly noticed Public Hearing to consider the assignment of land use classifications to the subject property.

NOW, THEREFORE, The City Council hereby approves the assignment of land use classifications consistent with map _____ as depicted on the illustration included in the staff report and/or detailed in the motion (CPA-005749-2022), subject to compliance with all the conditions in the staff report, dated September 13, 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.

The City Council directs staff to update the 2022 adopted Comprehensive Plan Land Use Map to reflect the direction provided regarding the assignment of land use classifications.

PASSED AND ADOPTED on September 13, 2022.

Russ Trimble, Mayor

ATTEST:

Ryan Jacobson, City Clerk

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of West Des Moines, Iowa, at a regular meeting held on September 13, 2022, by the following vote.

**Exhibit A: Conditions of Approval
None**

CITY OF WEST DES MOINES STAFF REPORT COMMUNICATION

Meeting Date: September 13, 2022

ITEM: Comprehensive Plan Land Use Map – Provide direction to staff which land use classification(s) to apply - Colby Property – CPA-005750-2022

ACTION: Provide Staff Direction and Recommend Appropriate Land Use Designation(s) to Apply

Background: The currently adopted Comprehensive Plan Land Use Map has 24 land use classifications and associated colors. The proposed new land use map has the following land use classifications and colors:

Open Space (OS)	Green
Detached Residential (DR)	Yellow
Mixed Residential (MR)	Orange
Multi Use Low (MUL)	Light Purple
Multi Use Medium	Medium Purple
Multi Use High (MUH)	Dark Purple
Industrial Low (IL)	Light Grey
Industrial High (IH)	Dark Grey

All properties within West Des Moines' Comprehensive Plan planning area will ultimately have the new classifications ("colors") applied. However, at this time, these new colors are only being applied to the 'undeveloped areas' as indicated on the map on page 81 of the main document. For the next few months, the currently adopted Comprehensive Plan's land use designations and colors will remain on the 'developed areas' of the city as indicated on page 79. It is staff's intention over the next few months to evaluate every developed parcel to determine which of the new land use designations best represents the built environment for a parcel. It is not anticipated that any developed property will undergo a change in zoning unless appropriate to bring the property into conformance with zoning. A table that identifies which 'old' Comprehensive Plan Land Use classifications are encompassed in each of the 'new' land use classifications is included in this report. This table assists staff in determining the appropriate new classification to apply.

As a result of outreach to explain to developers and landowners the new land use map approach, Staff became aware of five situations in which the property owner and staff disagreed on the land use to be assigned to their respective property. Knowing of this disagreement, the meeting to consider adoption of the overall Comprehensive Plan Update was set up with each of these areas to be discussed independently after consideration for adoption of the overall "undeveloped area" land use map. Contained in the staff report for each of these areas is information on the current land use, which new classifications would be equal to what is assigned today, staff's recommendation and rationale for such, and, if applicable, background on discussions had with the property owner(s). In light of the suggestion at the August 29th Planning and Zoning Commission meeting that the property owners did not want the overall Undeveloped Area Land Use Area Map adopted with a change in land use from what they currently have and/or desired for their property, staff has removed any land use designation from the respective properties. This will allow a recommendation on adoption of the overall "Undeveloped" Land Use Area Map first and then the Commission and subsequently Council determining what they believe is appropriate for land uses in each of the five situations. With this approach, there is no approval or denial of an "amendment" action but rather an approval motion providing direction to staff as to what

land use classification or color to apply in each situation. Based on these motions, the overall map will subsequently updated to reflect the Council’s direction.

In developing the proposed new land use map, staff considered several factors in determining the best land use classification for the city’s undeveloped areas. Included within this report is a list of general criteria considered in determining the assignment of land use classifications.

Colby Property

Location: west of future SE 42nd Street and north of Veterans Parkway

Current Adopted Comprehensive Plan Land Use & Compatible New Land Use:

Current Land Use Classification(s)	Color	Approx. # of Acres
Community Commercial	Red	80
Compatible New Land Use Classification(s)	Color	Approx. # of Acres
Multi Use Medium	Medium Purple	80

Map A: Property Owner’s Desired Land Use (reflected with New Land Use Classification):

New Land Use Classification(s)	Color	Approx. # of Acres
Multi Use Medium	Medium Purple	80
<p>Rationale: Desire land use to be same across entire property & believe western roadway should be on the property line due to environmental factors and cost-share with adjoining property</p>		

Map B: Staff's Recommended New Land Use Classification Assignment:

Land Use Classification	Color	Approx. # of Acres	
Mixed Residential	Orange	10	
Multi Use Medium	Medium Purple	70	

Rationale:

1. The node of multi-use area (both the medium and low multi use areas) provided on the map is focused on the Great Western bike trail south of Veterans Parkway and the more primary intersection of SE 35th Street & Veterans as the service node for surrounding residential development
2. Land uses are not determined by property boundaries as was done in the past – rather roadways and environmental aspects were utilized to guide land use placement
3. Ultimate Street Map alignment for SE 42nd Street (shown as a yellow dashed line) as the boundary between different intensity land use classifications
4. Staff does not feel that a small sliver of multi-use area would be beneficial or viable for development on the west side of the future SE 42nd Street

It is noted in the Comprehensive Plan text document that land uses may shift with the developed location of a street if used as a transition in land use. **The road alignment will be determined at the time of development.** Should the alignment of the street shift further to the west, the amount of Multi-Use Medium land use area would expand and Mixed Residential would decrease. Alternately, if the street alignment shifts to the east, the amount of Mixed Residential would expand and Multi-Use Medium would decrease.

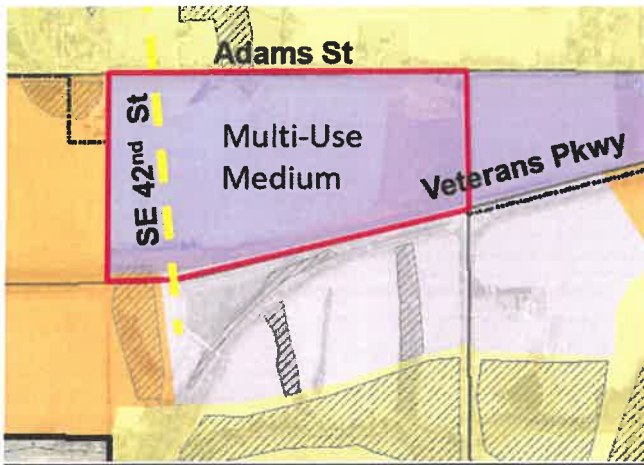
To aid the Commission and Council, the following motion options are available:

Motion to

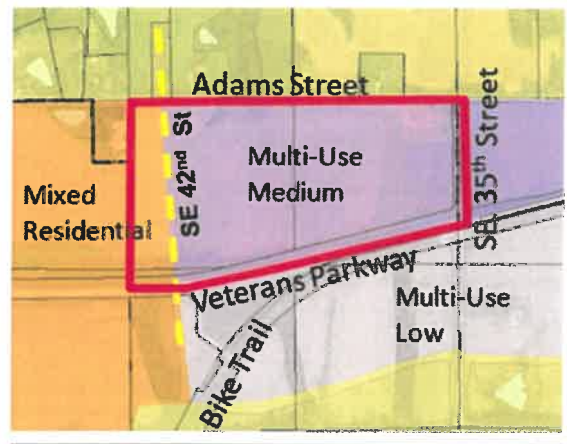
- (1) Assign Land Use Classifications consistent with currently adopted and as requested by the property owner as depicted in Map A illustration; or
- (2) Assign Land Use Classifications as presented by staff and depicted in Map B illustration; or
- (3) Assign Land Use Classifications as follows: (*Commission and Council providing directions on what land uses to apply to each area indicated in Map C*).
 - area #1 of Map C as _____ land use
 - area #2 of Map C as _____ land use

Motion Illustrations:

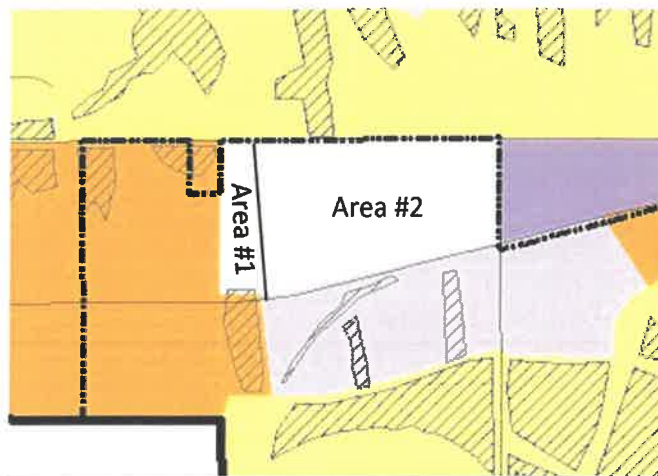
Map A: Assign as desired by property owner based on property boundary & consistent to current adopted



Map B: Assign as presented by staff with Future SE 42nd as divider between land uses



Map C: Commission/Council directed land use assignment (provide land use assignment for each defined parcel)



Lead Staff Member: Karen Marren

Approval Meeting Dates:

Planning and Zoning Commission	August 29, 2022 & September 12, 2022
City Council	September 13, 2022

Staff Report Reviews:

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

Publications (if applicable)

Published In:	Des Moines Register Community Section
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Date(s) of Mailed Notices	N/A

Council Subcommittee Review (if applicable)

Subcommittee	Development & Planning
Date Reviewed	N/A
Recommendation	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Split

NEW Proposed Land Use	Current Adopted Land Use
Open Space	Open Space Parks & Greenway
Detached Residential	Low Density Residential Single Family Residential Manufactured Homes (standard lot)
Mixed Residential (Caps at 14du/ac)	Single Family Residential Manufactured Homes (park & standard SF lot) Medium Density Residential High Density Residential (up to 14 du/ac)
Multi Use Low (Caps at 14du/ac)	Single Family Residential Manufactured Homes (park & standard SF lot) Medium Density Residential High Density Residential (up to 14 du/ac) Neighborhood Commercial Convenience Commercial Valley Junction Commercial Historic Business District Office Light Industrial Mixed Use
Multi Use Medium (Caps at 22du/ac)	Medium Density Residential High Density Residential Neighborhood Commercial Convenience Commercial Community Commercial Support Commercial Support Office Highway Commercial Office Light Industrial Mixed Use
Multi Use High (Minimum 18du/ac)	High Density Residential (min. 18 du/ac) Regional Commercial Town Center Commercial Office Light Industrial Mixed Use
Industrial Low	Office Light Industrial Warehouse Retail Business Park
Industrial High	General Industrial

Land Use Assignment Considerations/Criteria

Though certainly not the only possible future, the arrangement of land uses within the undeveloped areas reflects the goals and strategies provided in the plan, basic rules of good planning, and the best understanding of existing environmental conditions and future conditions as related to roads and utility infrastructure.

- a. Land Context: (Environmentally Sensitive Areas)
 - i. Steep slopes (smaller footprint building types can be accommodated on steeper slopes)
 - ii. Drainage and Flood Hazard
 - iii. Tree canopy
- b. Streets as boundaries between different intensity land use classifications
- c. Street classification and access consideration for higher intensity classifications
- d. Walkability ($\frac{1}{2}$ and $\frac{1}{4}$ mile buffer areas) from non-residential land uses
- e. Community Facilities/Schools should be surrounded by residential
- f. Detached Residential (DR) should have nearby access to parks and open spaces, as well as nearby neighborhood scale retail and services.
- g. Mixed Residential (MR) land use areas are an appropriate transition use between the detached residential land use and non-residential use designations.
- h. Mixed Residential (MR) land use will be adjacent to or surrounding areas of multi-use to provide the roof tops needed to support retail, service and office uses and provide walkability from the residential neighborhoods to daily needs and support services.
- i. The Multi Use Low (MUL) land use classification is used to either provide areas for commercial nodes surrounded by residential land use areas or as a transition from higher intensity multi-use areas to residential neighborhoods.
- j. Multi Use Low (MUL) land uses should be located for necessary auto access off of collectors and local streets.
- k. Multi Use Medium (MUM) land use will provide larger commercial corridors or activity areas surrounded by residential land use areas or as a transition from higher intense classifications.
- l. The Multi Use Medium (MUM) classification is typically used as a transition between high intensity multi use and low intensity multi use areas or residential classifications. And would typically be buffered to any surrounding detached residential land use.
- m. Multi Use High (MUH) land use should be provided as either the core of a larger/urban scale activity center that draws from the broader region or as an auto oriented service and retail node located at an interchange for interstate and highway road classifications.
- n. Multi Use High (MUH) land use shall be located with service from highways and major arterials.
- o. Multi Use High (MUH) shall be located on one side of an interstate or highway rather than straddling major roadways to allow for interior walkability.
- p. Multi Use High (MUH) and Industrial High (IH) should not be adjacent to Single Family Detached.
- q. Due to the potential for truck traffic, Industrial Low (IL) land use areas are auto oriented and should be located along collector or higher classification of roadways.
- r. With large amounts of truck traffic Industrial High (IH) land use areas are auto oriented and should be located along major collector or arterial roadways.

A RESOLUTION OF THE PLAN AND ZONING COMMISSION
NO. PZC-22-085

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the Planning and Zoning Commission approves the recommendation of the assignment of land uses consistent with Map _____ as depicted on the motion illustration included in the staff report and/or detailed in the motion for property generally located west of future SE 42nd Street and north of Veterans Parkway; 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 the City Council approve the assignment of land uses for the Comprehensive Plan and Land Use Map as provided above, (CPA-005750-2022) 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 September 12, 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 September 12, 2022, by the following vote:

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

ATTEST:

Recording Secretary

Prepared by: Karen Marren, 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

RESOLUTION

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, Development Services staff request direction on the assignment of land use classifications for property generally located west of future SE 42nd Street and north of Veterans Parkway; 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, the Comprehensive Plan Land Use Map complies with applicable provisions of Iowa Code Chapter 414 and City Code; and

WHEREAS, on September 12, 2022, the Planning and Zoning Commission did recommend to the City Council, by a ____ - ____ vote, approval of the assignment of land use(s) as depicted in motion map _____ included in the staff report; and

WHEREAS, on this day this City Council held a duly noticed Public Hearing to consider the assignment of land use classifications to the subject property.

NOW, THEREFORE, The City Council hereby approves the assignment of land use classifications consistent with map _____ as depicted on the illustration included in the staff report and/or detailed in the motion (CPA-005750-2022), subject to compliance with all the conditions in the staff report, dated September 13, 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.

The City Council directs staff to update the 2022 adopted Comprehensive Plan Land Use Map to reflect the direction provided regarding the assignment of land use classifications.

PASSED AND ADOPTED on September 13, 2022.

Russ Trimble, Mayor

Ryan Jacobson, City Clerk

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of West Des Moines, Iowa, at a regular meeting held on September 13, 2022, by the following vote.

**Exhibit A: Conditions of Approval
None**