

## CITY OF WEST DES MOINES STAFF REPORT COMMUNICATION

**Meeting Date:** December 27, 2022

**ITEM:** Khatib East Property, Southeast corner of Mills Civic Parkway (335<sup>th</sup> Street) and S. Grand Prairie Parkway – Amend Comprehensive Plan Land Use Map to establish Multi-Use Low land use – Accurate Land Company, Inc. – CPA-005795-2022

**RESOLUTION:** Denial of Comprehensive Plan Land Use Map Amendment

**Background:** Dean Roghair, Civil Design Advantage, on behalf of the applicant, Accurate Land Company, Inc., with permission from the property owners, Jamal and Tamara Khatib, requests approval of a Comprehensive Plan Land Use Map Amendment on ground generally located at the southeast corner of Mills Civic Parkway (335<sup>th</sup> Street) and S. Grand Prairie Parkway. This property is outside of, but immediately adjacent to the corporate limits and is undeveloped.

Specifically, the following Land Use changes are proposed with this request:

- Amend the Comprehensive Plan Land Use Map for approximately 7.8 acres to change from Mixed Residential (MR) to Multi-Use Low (MUL) land use.

### **Staff Review & Comment:**

- **Anticipated Development:** The requested action would allow a neighborhood commercial-like development on the property if it were to be annexed into the City. The Pre-Application for the property indicated that the balance of the property being considered by Accurate Land Company would be developed with 139 footprint lots for detached townhomes.
- **Current Land Use designation:** The recently adopted Comprehensive Plan for undeveloped areas identifies all of the property bordered by Mills Civic Parkway, S. Grand Prairie Parkway, Stagecoach Drive, and the property adjacent to the east as Mixed Residential.
- **Proposed Land Use designation:** The applicant requests that approximately 7.8 acres of property in the northwest corner of the parcel described above be changed to Neighborhood Commercial (Land Use Classification from 2010 Comprehensive Plan). After talking with the applicant, staff determined that the uses discussed, such as a convenience store, service-oriented and other retail, offices, and restaurants, were conducive to the Neighborhood Center Place Type. This place type is allowed in the Multi-Use Low land use classification (recently adopted Undeveloped Areas Land Use Classifications).
- **Development & Planning Subcommittee:**
  - **September 6th Meeting Discussion:** Staff explained that the concept for commercial development is not supported by staff due to sufficient planned multi-use (commercial) areas in close proximity: at the NE corner of Mills Civic and S Grand Prairie, as well as to the north by I-80 (approximately 1,200 feet from subject property) and across from the southwest corner of this proposed commercial area to the south at the northwest corner of Stagecoach Drive and S Grand Prairie. The already planned commercial areas provide for the walkability component that is a

key component of the new comprehensive plan. Staff also pointed out that although at the intersection of two major arterial roadways, access to a commercial use at this corner is a concern due to the significant changes in topography of the area and necessary full access spacing from the Mills Civic and S Grand Prairie intersection placing the full access at the south end of the development immediately adjacent to the residential which could encourage commercial traffic through the surrounding residential neighborhoods.

The Applicant stated that they felt it was an appropriate location for commercial development rather than residential as it was located against two major arterials with increasingly heavy traffic. They also believe the proposed commercial uses would support the residential area to be developed nearby and noted that the higher revenue generated by the commercial development would offset the higher cost anticipated for grading and working with topography in the area.

Staff noted that residential land uses are able to accommodate existing topography easier and the cost of the grading might not need to be offset with a residential land use. Also, Staff does not recommend putting commercial use on every corner. The City needs to be able to provide all land uses, and there are other commercial areas on both ends of this property. At a certain point the City needs to make good decisions on how much area is allocated for each use.

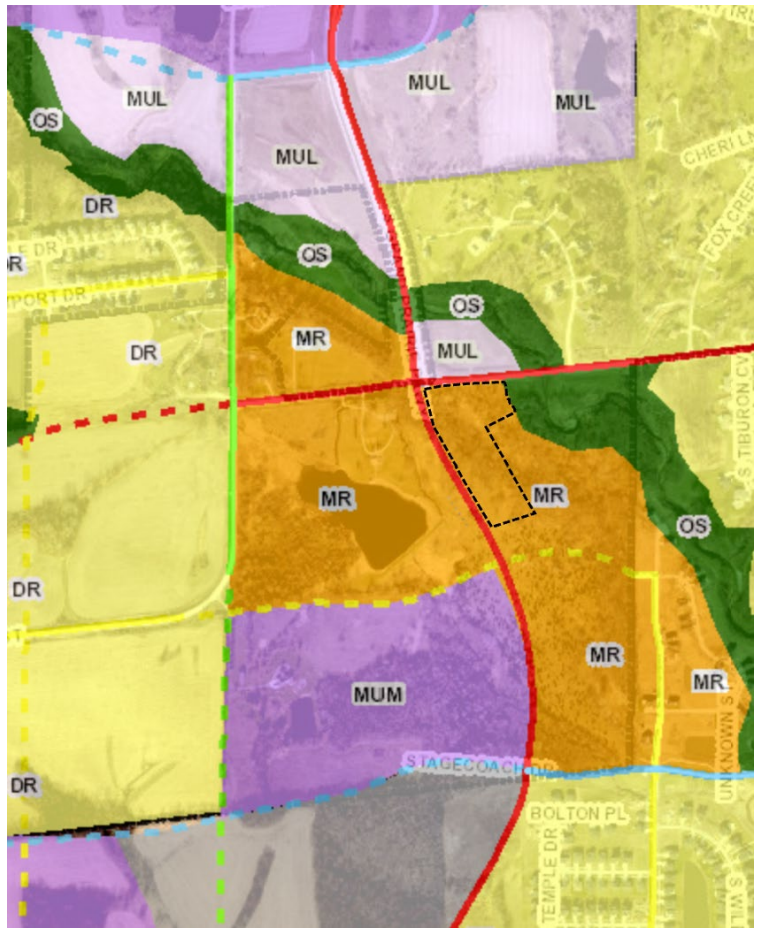
After further discussion, the Council Members indicated they were supportive of commercial land use proposed for this location.

- *Traffic Analysis Findings:* With the proposed commercial and residential land uses, the site is expected to generate more traffic than previously estimated. The following discussion of access is excerpted from the traffic study and referenced locations shown on the Applicant's Concept of Land Use and Access included below in the staff report.
  - Site access – Mills Civic Parkway: a conceptual access is shown on Mills Civic Parkway approximately 480' east of S Grand Prairie Parkway and approximately 500' west of Waterbury Circle. This spacing is adequate, as it must not be located no closer than 475' from S Grand Prairie Parkway and no closer than 350' from Waterbury Circle. This access may be able to operate as a full access in the interim, but it will ultimately need to be modified to a right-in/right-out (RI/RO) access.
  - Site access – S Grand Prairie Parkway North Access: Two conceptual accesses are shown on S Grand Prairie Parkway. The northern access is shown approximately 500' south of Mills Civic Parkway and approximately 600' north of the proposed East/West Minor Collector Street which connects to the Courtyards at King's Landing development. This spacing is adequate, but it must not shift any closer than 500' to Mills Civic Parkway. Sliding the access south is possible, but no closer than 350' from the East/West Minor Collector Street. This access may be able to operate as a full access in the interim, but it will ultimately need to be modified to a RI/RO access.
  - Site access – S Grand Prairie Parkway South Access: The southern access is shown approximately 780' south of the East/West Minor Collector Street (the noted private street access) and approximately 675' north of Stagecoach Drive. This spacing is adequate, but it must not shift any farther north unless there is adequate

intersection sight distance with the full-build width of S Grand Prairie Parkway (assuming the access continues to be a full access at full-build). It should also not shift any farther south in order to allow for adequate northbound left-turn storage at the access and southbound left-turn storage at Stagecoach Drive. This intersection should operate as stop-controlled, with S Grand Prairie Parkway as the designated thru street. Signalizing the intersection is not recommended due to the spacing from planned traffic signals to the north and south. If crashes or other factors indicate a need in the future, modifying the intersection to a limited-movement access such as a RI/RO may be needed. If that occurs, traffic turning left at this intersection would then need to utilize the future traffic signal at S Grand Prairie Parkway & East/West Minor Collector Street.

- Site access – East/West Minor Collector Street: The first commercial access on the East/West Minor Collector Street east of S Grand Prairie Parkway must be at least 300' from S Grand Prairie Parkway to provide westbound left-turn storage at S Grand Prairie Parkway and eastbound left-turn storage at the access. No residential driveways should be located between S Grand Prairie Parkway and this commercial access. To the east of the commercial access, intersections should be lined up or spaced at least 100' apart.

## Staff Rationale for Denying the Land Use Change Request

Proposed Land Use Classification(s)	Color	Approx. # of Acres	
Multi Use Low	Light Purple	7.8	
<p>Rationale for denial:</p> <ol style="list-style-type: none"> <li>1. Walkability: there are two multi-use land use areas within walking distance of the residential land use on the property. Walking distance is acceptable if the multi-use area is within ¼ to ½ mile of the residential developments.</li> <li>2. Number of Commercial opportunities in the area. As noted, there are two areas of multi-use in the area; one is a multi-use low (MUL) immediately to the north and one is a multi-use medium (MUM) (the darker purple area) essentially kitty-corner at the south end. Additionally, the city</li> </ol>			
<p>designated a large area of MUM and MUL along I-80 that will allow the same uses. Staff feels that there is sufficient commercial in the area to accommodate the needs of the residential land use in the area and that the addition of another MUL area is not necessary to serve the areas. The multi-use area to the north and south will provide the commercial uses and meet the needs of the surrounding residential.</p> <ol style="list-style-type: none"> <li>3. Comprehensive Plan Action Item LU1c - Locate residential areas to capitalize on natural amenities. Staff feels that this action item in the Comprehensive Plan is applicable in this area. There is a creek to the east that is anticipated to be dedicated as greenway along both sides of the creek. Greenways are good habitat and may have trails for residents to enjoy and are most effective when part of residential development. There is an anticipated trail on the south side of Mills Civic Parkway which staff feels would be more comfortable for users if they didn't have to go through commercial development to get to the trail.</li> <li>4. Comprehensive Plan Action Item CD2a - Support the preservation and protection of trees, natural vegetation, wetlands, stream corridors and environmentally sensitive areas. Staff feels that the existing vegetation of the property and the challenging terrain is more conducive to residential development, rather than the clear cutting and flattening of the ground required by most commercial areas. Topography was a topic of discussion at the Subcommittee meeting in September 2022, where staff discussed the preservation of the</li> </ol>			

topography as much as possible in the area requested to be MUL. The applicant noted that the topography was a challenge, but it could be graded out to flatten pads for commercial development. Staff noted, that with the development of residential, there still would be grading for dwellings, but there would be more flexibility in protecting existing landscape and avoiding areas that would need more grading than others.

5. **Traffic and Access:** As noted earlier in the staff report, a traffic study was conducted for this proposed land use change which identified anticipated traffic generation and spells out access points and separation distances. It was noted that the only full access movement into the proposed MUL area is at the southern end of the proposed area at a stop-controlled point with the proposed east/west collector road as shown on the applicant's concept which is included in the staff report. All other allowed access points are likely to be right-in and right-out with no opportunity to turn left in and out of the development at these locations. For example, that means that traffic coming from the east on Mills Civic Parkway (335<sup>th</sup> Street) and wanting to get into a commercial center has to make a left turn onto S. Grand Prairie Parkway and make its way south onto the east/west collector. The east/west collector has not been designed or approved for the location indicated on the concept plan.

This situation would occur with residential development as well; staff feels that residential development is more flexible to accommodate access restrictions. Keeping the whole property for residential also eliminates commercial traffic traveling through residential development as it seeks out better access points.

**Outstanding Issues:** There are no outstanding issues.

Planning and Zoning Commission Action:

Date: December 27, 2022

Vote:

Recommendation:

**Recommendation:** Deny the Comprehensive Plan Land Use Map Amendment.

**Lead Staff Member:** Kara Tragesser

**Approval Meeting Dates:**

Planning and Zoning Commission	December 27, 2022
City Council	

**Staff Report Reviews:**

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



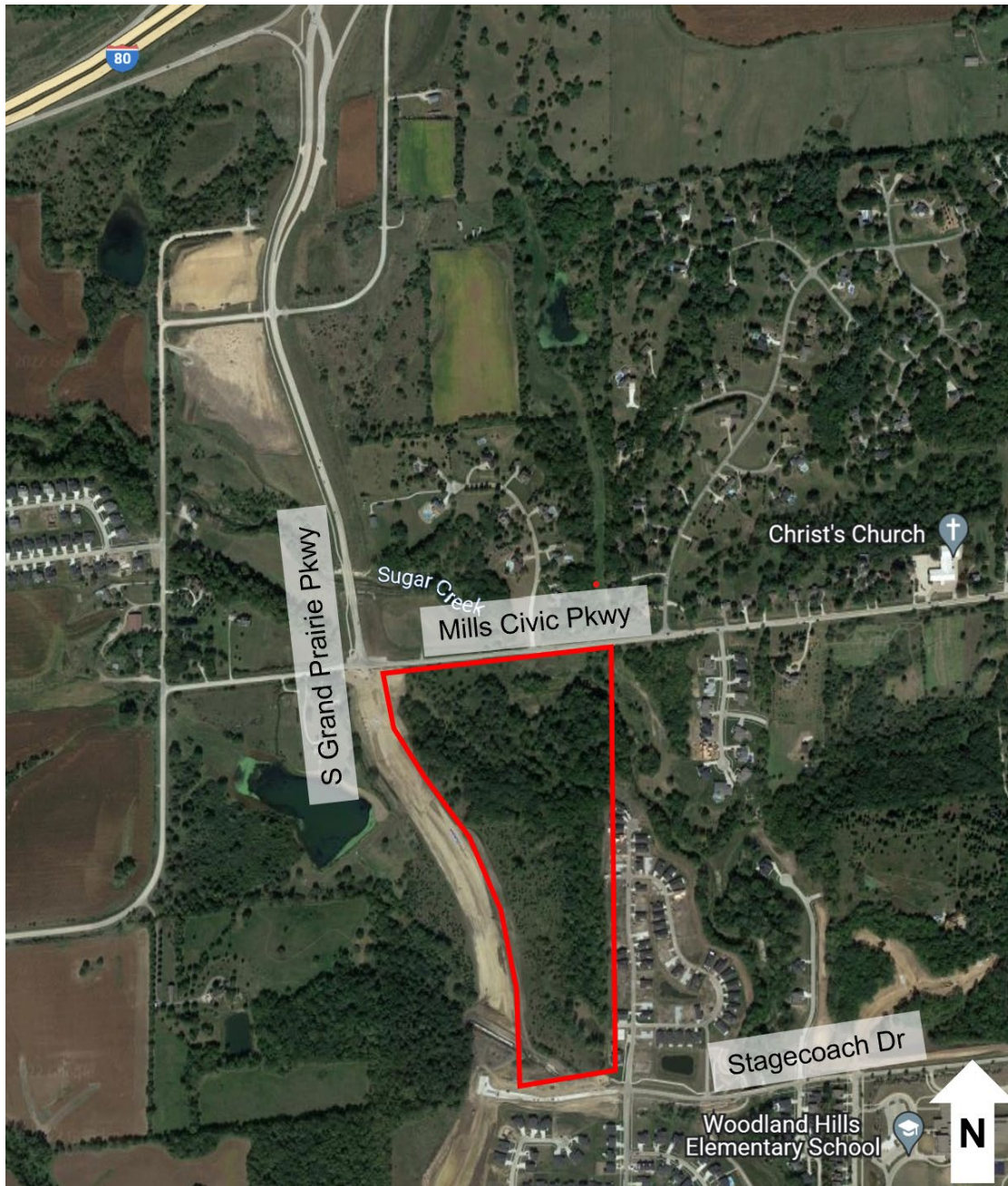
**Publications (if applicable)**

Published In:	Des Moines Register Community Section
Date(s) Published	12/16/22
Date(s) of Mailed Notices	12/15/22

**Council Subcommittee Review (if applicable)**

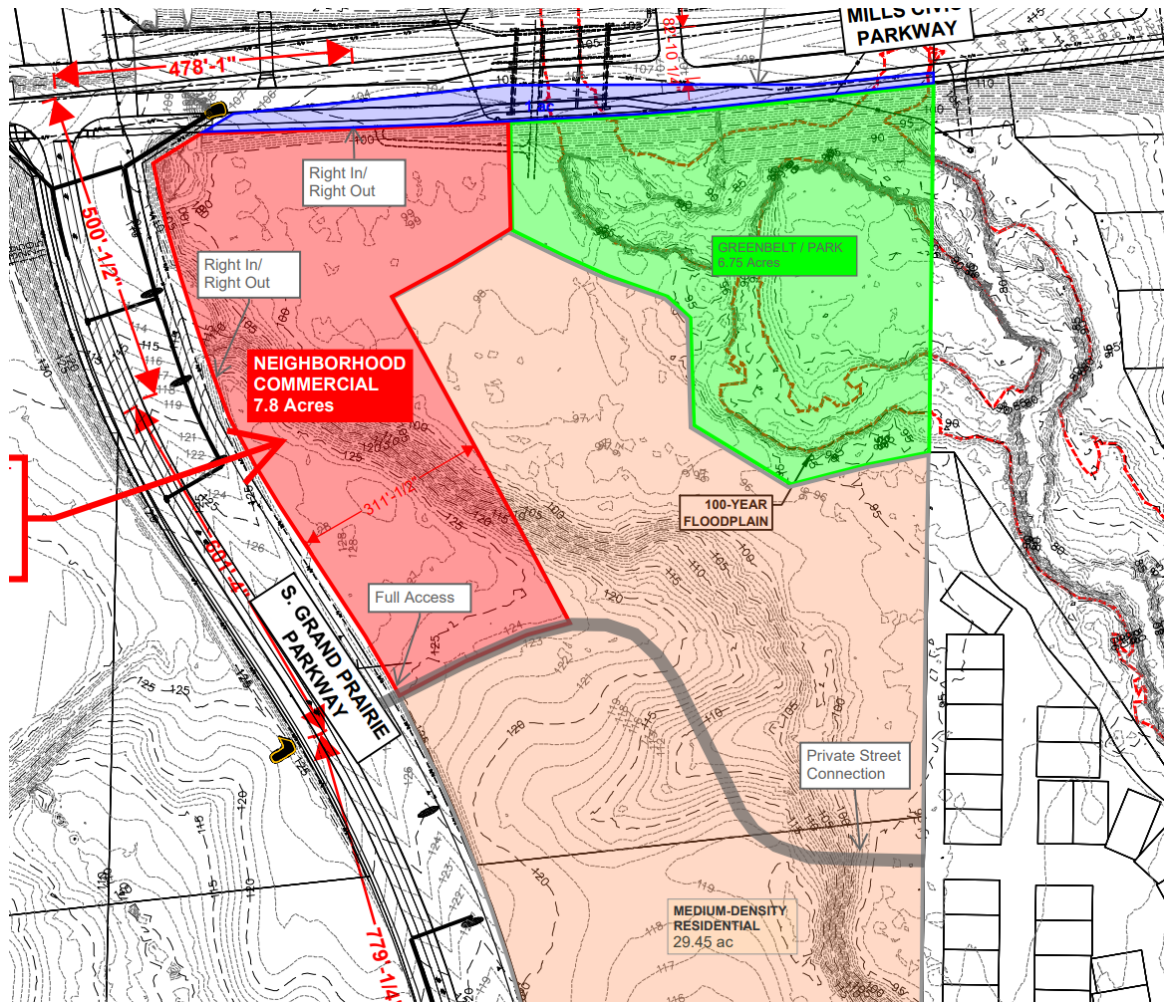
Subcommittee	Development & Planning
Date Reviewed	9/6/2022 and 11/21/2022
Recommendation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Split

**Location Map**



## Applicant's Concept Drawing of Land Use and Accesses

Note: the red area notated by the text "Neighborhood Commercial" is the area proposed to be changed to Multi-Use Low land use. The greenbelt/park in green is not part of the request. The peachy-pink area already has a land use designation of Mixed Residential and also is not part of the request. The private street connection is conceptual only and has not been approved or recommended for approval.



## **Land Use Assignment Considerations/Criteria**

### **(Excerpt from 2022 Comprehensive Plan)**

Though certainly not the only possible future, the arrangement of land uses within the undeveloped areas reflects the goals and strategies provided in the Comprehensive 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 PLANNING AND ZONING COMMISSION**  
**NO. PZC-22-116**

**WHEREAS**, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, Accurate Land Development, Inc., with permission from the property owners Jamal and Tamara Khatib, requests approval for a Comprehensive Plan Land Use Map Amendment (CPA-005795-2022) for property generally located at the southeast corner of Mills Civic Parkway (335<sup>th</sup> Street) and Grand S. Grand Prairie Parkway as depicted on the Comprehensive Plan Land Use Map Change Illustration included in the staff report to change the land use designation as follows:

- Amend the Comprehensive Plan Land Use Map for the approximately 7.8 acres located at the southeast corner of Mills Civic Parkway and S Grand Prairie Parkway to change from Mixed Residential (MR) to Multi-Use Low (MUL) land use.

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

**NOW, THEREFORE**, the Planning and Zoning Commission of the City of West Des Moines recommends that City Council \_\_\_\_\_ (*approve or deny*) the Comprehensive Plan Land Use Map Amendment, (CPA-005795-2022).

**PASSED AND ADOPTED** on December 27, 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 held on December 27, 2022, by the following vote:

AYES:

NAYS:

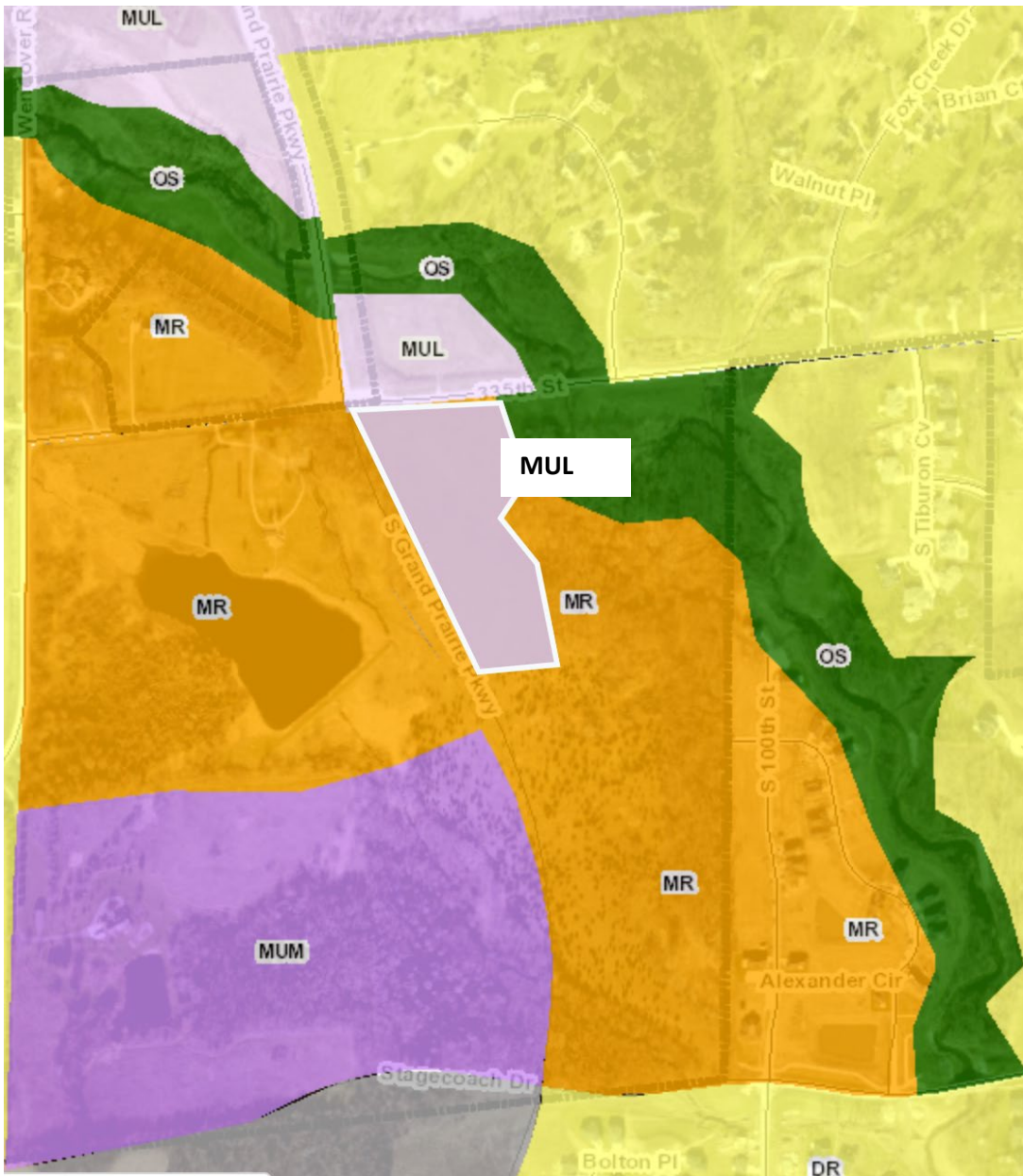
ABSTENTIONS:

ABSENT:

ATTEST:

\_\_\_\_\_  
Recording Secretary

**Exhibit B: Comprehensive Plan Land Use Illustration**



Requested change from Mixed Residential (includes Medium Density Residential) to Mixed Use Low (includes Neighborhood Commercial) of the orange color to the lavender color or light purple for 7.8 acres at the SE corner of Mills Civic Parkway (335<sup>th</sup> Street) and S. Grand Prairie Parkway