

CITY OF WEST DES MOINES STAFF REPORT COMMUNICATION

Meeting Date: February 13, 2023

ITEM: Southeast corner of I-80 and Ute Avenue – Amend Comprehensive Plan Land Use Map to establish Multi Use Medium, Detached Residential, Mixed Residential, and Open Space land use – Development Services Staff – CPA-005871-2022

RESOLUTION: Approval of Comprehensive Plan Land Use Map Amendment

Background: Development Services Staff requests approval of a Comprehensive Plan Land Use Map Amendment on ground generally located at the southeast corner of I-80 and Ute Avenue, including the area between I-80 on the north, future Mills Civic Parkway on the south, Ute Avenue on the west and the West Des Moines Corporate Limits on the east. Specifically, the land use amendment request is to remove the current Comprehensive Plan land use designations in the area and apply the following:

- Amend the Comprehensive Plan Land Use Map to assign approximately 165 acres of Detached Residential (DR) land use; and
- Amend the Comprehensive Plan Land Use Map to assign approximately 40 acres of Mixed Residential (MR) land use; and
- Amend the Comprehensive Plan Land Use Map to assign approximately 190 acres of Multi-Use Medium (MUM) land use; and
- Amend the Comprehensive Plan Land Use Map to assign approximately 5 acres of Open Space (OS) land use.

Staff Review & Comment:

- ***Anticipated Development:*** Being this project area is outside city limits, no development is proposed due to this amendment. Part of the project area is anticipated for development within county jurisdiction. Assignment of Comprehensive Land Use does not mean a property is annexed; however, the city's Community and Economic Development Department has recently started exploring annexation of all or part of this area. The final annexation boundaries are not known at this time. A request to annex ground would need to be considered by the Planning and Zoning Commission and City Council under separate action brought forward by Community and Economic Development staff.
- ***History:*** The new Comprehensive Plan and Land Use Map was adopted by City Council on October 17, 2022. At that time, a portion of the subject area had been removed from the Land Use Map (shown as white) when adopted because of ongoing discussions related to a county development project and the alignment of EP True Parkway in the amendment area. Now that the road alignment has been determined, staff is moving forward with this amendment request to finalize the Land Use designations for the area. Due to the realignment of some of the roadways in the area, additional ground has been added to this amendment request beyond the area originally removed from the adopted Land Use map. This is so land uses could be placed based on the placement criteria of the Comprehensive Plan with boundaries generally being roadways and known

environmental aspects.

- Proposed Land Use Designation: The proposed Multi Use Medium (MUM) land use has been designated at the southeast corner of the I-80 / Ute Avenue intersection to provide an area for potential medium intensity commercial/office development off the interchange. Higher intensity multi-family residential and light industrial uses could also be possible in the MUM area. The multi-use area was designated slightly larger in acres than initially anticipated due to discussions with the key property owner at the corner noting their desire to maintain the existing education and religious uses. The detached residential land use was maintained in much of the area south of EP True Parkway incorporating and surrounding the existing single-family uses northwest of and adjacent to the Westport subdivision which is just outside the amendment area. Multifamily residential uses are also possible along Ute Avenue in the Mixed Residential land use area which is designated at the corner of higher use roadways of future Mills Civic Parkway and Ute Avenue.
- Development & Planning Subcommittee: The amendment request was presented as an upcoming project to the Development & Planning Subcommittee at the December 19, 2022, meeting. Staff was directed at that time to meet with the property owners within the amendment area to address any concerns or question they may have. Staff noticed all property owners within the project area by mail on December 27, 2022. Four property owners and the attorney for the Caspe Family Jewish Community Campus attended the meeting on January 11, 2023. Questions included the types of uses permitted in each of the proposed Land Use designations, the timing and construction of future EP True Parkway, and if the city was considering annexation of the area. No major concerns were raised at the meeting regarding the proposed land use. Subsequent to that meeting, staff met with another property owner that was not made aware of the meeting by his business partner ahead of the meeting. No concerns were raised; however, it was noted that his preference is for the eastern boundary of the multi-use land use that is designated for his property be determined by a roadway and not leave a small piece of a residential use between the road and his property. Staff is comfortable with this as roadways are one aspect used in determining land use boundaries within the full map update.
- Traffic Analysis Findings: Due to the project area being outside of city limits a traffic study has not been completed at this time. If the property were to be annexed into the city, any future development in this area would then be reviewed.

Outstanding Issues: There are no outstanding issues.

Planning and Zoning Commission Action:

Date: February 13, 2023

Vote:

Recommendation:

Recommendation: Approve the Comprehensive Plan Land Use Map Amendment.

Lead Staff Member: Karen Marren

Approval Meeting Dates:

Planning and Zoning Commission	February 13, 2023
City Council	

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

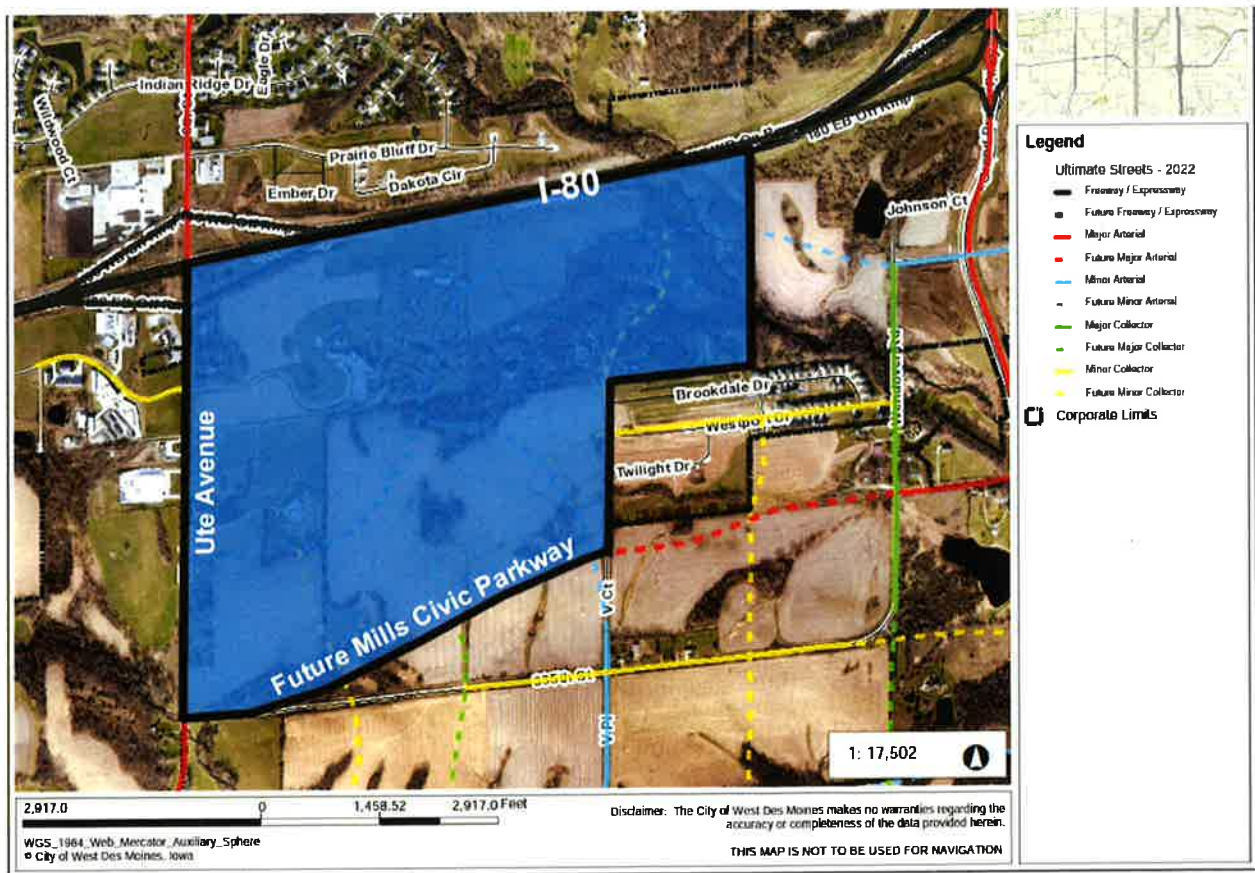
Publications (if applicable)

Published In:	Des Moines Register Community Section
Date(s) Published	2/3/23
Date(s) of Mailed Notices	1/31/23

Council Subcommittee Review (if applicable)

Subcommittee	Development & Planning
Date Reviewed	12/19/22 – Upcoming Project Only
Recommendation	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Split

Location Map



A RESOLUTION OF THE PLANNING AND ZONING COMMISSION
NO. PZC-23-003

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, Development Services Staff request approval for a Comprehensive Plan Land Use Map Amendment for property generally located at the southeast corner of I-80 and Ute Avenue, including the area between 1-80 on the north, future Mills Civic Parkway on the south, Ute Avenue on the west and the West Des Moines Corporate Limits on the east as depicted on the Comprehensive Plan Land Use Map Assignment Illustration included in the staff report to remove the current Comprehensive Plan land use designations in the area and apply the following in the configuration as shown on the illustration:

- Amend the Comprehensive Plan Land Use Map to assign approximately 165 acres of Detached Residential (DR) land use; and
- Amend the Comprehensive Plan Land Use Map to assign approximately 40 acres of Mixed Residential (MR) land use; and
- Amend the Comprehensive Plan Land Use Map to assign approximately 190 acres of Multi-Use Medium (MUM) land use; and
- Amend the Comprehensive Plan Land Use Map to assign approximately 5 acres of Open Space (OS) 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 the Comprehensive Plan Land Use Map Amendment, (CPA-005871-2022) as shown on the Comprehensive Plan Land Use Map Assignment Illustration 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 February 13, 2023.

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 February 13, 2023, 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 approval of a Comprehensive Plan Land Use Map Amendment for property generally located at the southeast corner of I-80 and Ute Avenue, including the area between I-80 on the north, future Mills Civic Parkway on the south, Ute Avenue on the west and the West Des Moines Corporate Limits on the east as depicted on the Comprehensive Plan Land Use Map Assignment Illustration as attached Exhibit "B". The change request includes the assignment of approximately 165-acres as Detached Residential (DR), approximately 40-acres as Mixed Residential (MR), approximately 190-acres as Multi-Use Medium (MUM) and approximately 5-acres as Open Space (OS); 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 February 13, 2023, the Planning and Zoning Commission did recommend to the City Council, by a **X-X** vote, approval of the Comprehensive Plan Land Use Map Amendment; and

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

NOW, THEREFORE, The City Council hereby approves the Comprehensive Plan Land Use Map Amendment (CPA-005871-2022) as shown on attached Comprehensive Plan Land Use Map Assignment Illustration, subject to compliance with all the conditions in the staff report, dated February 20, 2023, including conditions added at the meeting, and attached hereto as Exhibit "A". Violation(s) of any such condition(s) shall be grounds for revocation of the entitlement, as well as any other remedy which is available to the City.

PASSED AND ADOPTED on February 20, 2023.

Russ Trimble, Mayor

Exhibit B: Comprehensive Plan Land Use Map Assignment Illustration

