CITY OF WEST DES MOINES
STAFF REPORT COMMUNICATION

Meeting Date: April 17, 2023

ITEM: Stone Cross Lawn & Landscape, 3410 SE 22nd Street – Amend the Zoning Map to rezone the property from Professional Commerce Park (PCP) to Light Industrial (LI) Zoning District – Stone Cross Properties, LLC – ZC-005946-2023

ORDINANCE: Approval of First Reading of the Ordinance to Rezone Property

Background: Brandon Short, with Pelds Design Services, on behalf of the applicant and property owner, Stone Cross Properties, LLC, requests approval of a rezoning on approximately 14 acres located at 3410 SE 22nd Street. The applicant requests an amendment to the Zoning Map to rezone the property from Professional Commerce Park (PCP) to Light Industrial (LI) Zoning District which is consistent with the adopted Comprehensive Plan Land Use designation of Multi Use High.

Staff Review & Comment:

- *Anticipated Development:* The requested actions are in preparation of redevelopment of the site for Stone Cross Lawn & Landscape, a landscape contractor. The applicant intends to modify and reuse the existing building, modify the existing driveways and parking lot and install a paved outdoor storage yard.

  The following types of land use development is allowed in the Multi Use Medium land use classification:

Place Types allowed in Multi Use Medium Land Use
Attached Residential
Live/Work/Play
Integrated Use
Community Center
Office
Campus
Limited Impact Industrial
Recreation
Preserved
Community Facilities

  The proposed use will be consistent with the Limited Impact Industrial Place Type and is allowed assuming opaque screening of any exterior activity or storage aspects.

- *History*: The property was constructed in 1984 as a commercial/recreational soccer facility locally known as the Soccer House. When recreational facilities ceased the building was used for a variety of other approved and non-approved uses and at one point provided a residential dwelling unit within the building. The property has also had a series of code compliance cases over the past few years. The property was sold in 2022 to the current

property owner who is looking to redevelop the site for Stone Cross Lawn & Landscape.

- *Developer Responsibilities:* A major modification application as well as a Permitted Conditional Use Permit (Pc) application is currently under review by city staff for modifications to the site plan for the improvements noted above and for a Pc use for the outdoor storage yard. In conjunction with site development of the lot, the developer will be responsible for construction and/or installation of public and private infrastructure improvements necessary to support development. The following items are known improvements; additional improvements may be required in response to development proposals:
  - Storm Water: An executed maintenance easement agreement and maintenance covenant is required for sites with runoff controls.
  - Street Improvements:
    - The property owner will provide an executed agreement for the future paving of 1½ lanes of SE Maffitt Lake Rd and all appurtenances adjacent to the property at such time as improvements are warranted.
    - The property owner will need to provide an executed sidewalk agreement agreeing to install sidewalk adjacent to the public streets, SE 22nd Street and SE Maffitt Lake Road, at such time directed to do so by the City.
  - Future Traffic Signal: The property owner will be required to execute an agreement and waiver acknowledging and agreeing to the payment of their pro-rata share for a fully operational traffic signal at SE 22nd Street and SE Maffitt Lake Road at such time that traffic warrants.
  - Streetlights: The property owner will be required to execute an agreement for future installation of streetlights adjacent to all public streets, SE 22nd Street and SE Maffitt Lake Road.

- *Traffic Analysis Findings:* The following findings and recommendations were identified in the Traffic Analysis for the property based on the proposed site improvements under review for the Major Modification. These items will be addressed with the Major Modification review:
  - A new driveway is shown on SE Maffitt Lake Road. The planned location is adequately spaced from other intersections, but it is located near the crest of a hill. The applicant will need to verify that there is adequate stopping sight distance as drivers approach the driveway, as detailed in the American Association of State Highway and Transportation Officials Policy on Geometric Design of Highways and Streets ("Green Book"). If there is not adequate stopping sight distance, the planned driveway needs to be removed.
  - Depending on future intersection locations on SE Maffitt Lake Road, the access may ultimately need to be converted from a full access to a right-in/right-out access to minimize conflict points and maintain acceptable progression on the major arterial street. If that occurs, left-turning traffic would need to utilize the SE 22nd Street access to enter/exit the site.
  - The internal site layout must allow for the safe and orderly movement of vehicles and pedestrians, as well as emergency vehicle maneuverability. Trucks need to be able to navigate the site without backing into or out of the driveways and without parking along the adjacent streets, and internal conflicts near the driveways must not cause traffic to back out onto the adjacent streets.
  - Signing, pavement markings, and other traffic control devices on the approaches to the public streets should be in conformance with the Manual on Uniform Traffic Control Devices (MUTCD, Federal Highway Administration).

Outstanding Issues: There are no outstanding issues.

Planning and Zoning Commission Action:
Date: April 10, 2023
Vote: 7-0 for approval
Recommendation: Approval of Rezoning to Consistency Zone Property

City Council First Reading:
Date: April 17, 2023
Vote:

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

Lead Staff Member: Karen Marren

Approval Meeting Dates:

Planning and Zoning Commission	April 10, 2023
City Council: First Reading	April 17, 2023
City Council: Second Reading	
City Council: Third Reading	

Staff Report Reviews:

Planning & Zoning Commission	☒ Development Coordinator (or) ☒ Director	☒ Legal Department
City Council	☒ Director ☐ Appropriations/Finance	☒ Legal Department ☑ Agenda Acceptance

Publications (if applicable)

Published In:	Des Moines Register Community Section
Date(s) Published	3/31/23
Date(s) of Mailed Notices	3/28/23

Council Subcommittee Review (if applicable)

Subcommittee	Development & Planning
Date Reviewed	4/3/23 – Upcoming Project
Recommendation	☐ Yes ☐ No ☐ Split

Location Map

Existing Land Use

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION
NO. PZC-23-013

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the applicant and property owner, Stone Cross Properties, LLC, request approval for a Zoning Map Amendment for property located at 3410 SE 22nd Street as depicted on the Rezoning Illustration included in the staff report to change the zoning designation as follows:

- Amend the Zoning Map to rezone approximately 14 acres from Professional Commerce Park (PCP) to Light Industrial (LI) Zoning District consistent with the Comprehensive Plan Land Use designation, and

WHEREAS, the Rezoning request complies with the applicable provisions of Iowa Code Chapter 414, the Comprehensive Plan and City Code.

NOW, THEREFORE, the Planning and Zoning Commission of the City of West Des Moines recommends that City Council approve the Rezoning request, (ZC-005946-2023) 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 April 10, 2023.

Andrew Conlin, Vice 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 April 10, 2023, by the following vote:

AYES: Conlin, Costa, Crowley, Davis, Hatfield, McCoy, Shaw

NAYS:

ABSTENTIONS:

ABSENT:

ATTEST:
Jennifer Canaday
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

ORDINANCE #

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

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

SECTION 1. Amendment. The Zoning Map of the City of West Des Moines, Iowa, is hereby amended by rezoning approximately 14 acres from Professional Commerce Park (PCP) to Light Industrial (LI) Zoning District consistent with the Comprehensive Plan Undeveloped Areas Land Use Map on that property legally described as follows and shown on the attached Zoning Map Illustration:

Legal Description

THE SOUTH 15 ACRES OF THE WEST 25 ACRES OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH P.M., NOW INCLUDED IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA, SUBJECT TO LEGALLY ESTABLISHED HIGHWAYS

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

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

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

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

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

Passed and approved by the City Council on May 1, 2023.

_____
Russ Trimble, Mayor

ATTEST:

_____
Ryan Jacobson, City Clerk

The foregoing Ordinance No. _____ was adopted by the Council for the City of West Des Moines, Iowa, on _____, 2023, and was published in the Des Moines Register on _____ , 2023.

_____
Ryan T. Jacobson
City Clerk

Rezoning Illustration