

CITY OF WEST DES MOINES STAFF REPORT COMMUNICATION

Meeting Date: April 24, 2023

ITEM: 1625 SE County Line Road Rezoning, 1625 SE County Line Road – Amend the Zoning Map to establish General Industrial zoning – City of West Des Moines – ZC-005931-2023

RESOLUTION: Approval of Rezoning to Consistency Zone Property

Background: The City of West Des Moines requests approval of a Rezoning request on 46.62 acres generally located at the southwest corner of Veterans Parkway and SE Maffitt Lake Road and locally known as 1625 SE County Line Road. The applicant requests an amendment to the Zoning Map to designate the property to the General Industrial (GI) Zoning District consistent with the adopted Comprehensive Plan Land Use designation of Industrial High (IH).

Staff Review & Comment:

- **Anticipated Development:** The requested action is to prepare for the development of the south portion of the site for an Army National Guard Readiness Center and the balance of the property for a future SE Public Safety Station.
- **History:** The property is City-owned property acquired for area roadway alignments. Right-of-way for SE County Line Road, SE Orilla Road, SE Maffitt Lake Road, and Veterans Parkway has been reserved or acquired. The property is the subject of a Plat of Survey (POS-005982-2023) to define the parcel boundaries after the right-of-way reservation and acquisitions have taken place. The plat of survey is under review and will be presented to the City Council for approval at an upcoming meeting along with the site plan for development of the Guard's property.

Outstanding Issues: There are no outstanding issues.

Planning and Zoning Commission Action:

Date: April 24, 2023

Vote:

Recommendation:

City Council First Reading:

Date:

Vote:

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

Lead Staff Member: Kara Tragesser

Approval Meeting Dates:

Planning and Zoning Commission	April 24, 2023
City Council: First Reading	
City Council: Second Reading	
City Council: Third Reading	

Staff Report Reviews:

Planning & Zoning Commission	<input checked="" 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	4/21/23
Date(s) of Mailed Notices	4/19/23

Council Subcommittee Review (if applicable)

Subcommittee	Development & Planning
Date Reviewed	5/1/23 – upcoming project
Recommendation	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Split



1625 SE County Line Road



1: 8,000



Disclaimer: The City of West Des Moines makes no warranties regarding the accuracy or completeness of the data provided herein.
 THIS MAP IS NOT TO BE USED FOR NAVIGATION



Legend

- Corporate Limits
- Parcels

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION
NO. PZC-23-021

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the City of West Des Moines requests approval for a Zoning Map Amendment for property located at the southwest corner of Veterans Parkway and SE Maffitt Lake Road and locally known as 1625 SE County Line Road as depicted on the Consistency Zoning Illustration attached to this resolution to change the zoning designation as follows:

- Amend the Zoning Map to designate General Industrial (GI) Zoning District on approximately 46.62 acres consistent with the Comprehensive Plan Land Use designation. The zoned property will be bounded by SE Maffitt Lake Road along the north, Veterans Parkway along the east, SE County Line Road along the south and SE Orilla Road along the west; 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-005931-2023) 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 24, 2023.

Andy Conlin, 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 24, 2023, by the following vote:

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

ATTEST:

Recording Secretary

Prepared by: Kara Tragesser, 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 designating 46.62 acres to the General Industrial (GI) Zoning District consistent with the adopted Comprehensive Plan Land Use Map on that property legally described as follows and shown on the attached Zoning Map Illustration:

Legal Description

TRACT B OF LOT 8 AS SHOWN ON THE ACQUISITION PLAT RECORDED IN BOOK 19055 AT PAGE 135 AND AN IRREGULAR SHAPED PORTION OF LOTS 3, 4, 5, 6 AND 7, ALL IN BRUBAKER ESTATE, AN OFFICIAL PLAT, WEST DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH P.M., POLK COUNTY, IOWA; THENCE S00°14'00"E ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 34, A DISTANCE OF 495.06 FEET; THENCE S89°53'01"E, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING; THENCE S89°53'01"E, A DISTANCE OF 9.83 FEET; THENCE N00°13'24"W, A DISTANCE OF 264.96 FEET; THENCE N44°57'13"E, A DISTANCE OF 239.81 FEET; THENCE S83°52'15"E, A DISTANCE OF 409.75 FEET TO THE WEST RIGHT OF WAY LINE OF MAFFITT LAKE ROAD AS IT IS PRESENTLY ESTABLISHED; THENCE S54°26'27"E ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 101.96 FEET; THENCE SOUTHEASTERLY ALONG SAID RIGHT OF WAY LINE AND ALONG A 1020.30 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY, A DISTANCE OF 448.38 FEET, SAID CURVE HAVING A CHORD BEARING OF S53°59'42"E AND A CHORD LENGTH OF 444.78 FEET; THENCE S41°23'55"E ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 95.98 FEET; THENCE S42°04'33"E ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 253.37 FEET; THENCE S42°47'23"E ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 149.54 FEET; THENCE S54°12'41"E ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 315.39 FEET TO THE NORTHWESTERLY RIGHT OF WAY LINE OF VETERANS PARKWAY AS IT IS PRESENTLY ESTABLISHED; THENCE S00°38'34"E ALONG SAID RIGHT OF WAY LINE,

A DISTANCE OF 218.62 FEET; THENCE SOUTHWESTERLY ALONG SAID RIGHT OF WAY LINE AND ALONG A 2917.50 FOOT RADIUS CURVE CONCAVE NORTHWESTERLY, A DISTANCE OF 431.15 FEET, SAID CURVE HAVING A CHORD BEARING OF S36°28'59"W AND A CHORD LENGTH OF 430.76 FEET; THENCE S40°41'50"W ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 355.53 FEET; THENCE NORTHWESTERLY ALONG A 850.00 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY, A DISTANCE OF 528.13 FEET, SAID CURVE HAVING A CHORD BEARING OF N72°09'24"W AND A CHORD LENGTH OF 519.67 FEET; THENCE N89°57'30"W, A DISTANCE OF 604.24 FEET; THENCE NORTHWESTERLY ALONG A 25.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY, A DISTANCE OF 39.15 FEET, SAID CURVE HAVING A CHORD BEARING OF N45°06'01"W AND A CHORD LENGTH OF 35.27 FEET; THENCE N00°14'28"W ALONG THE EAST RIGHT OF WAY LINE OF SE ORILLA ROAD AS IT IS PRESENTLY ESTABLISHED, A DISTANCE OF 1134.04 FEET TO THE POINT OF BEGINNING. SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD. SAID TRACT CONTAINS 46.62 ACRES

The zoned property will be bounded by SE Maffitt Lake Road along the north, Veterans Parkway along the east, SE County Line Road along the south and SE Orilla Road along the west.

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

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

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

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

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

Passed and approved by the City Council on May 15, 2023.

Russ Trimble, Mayor

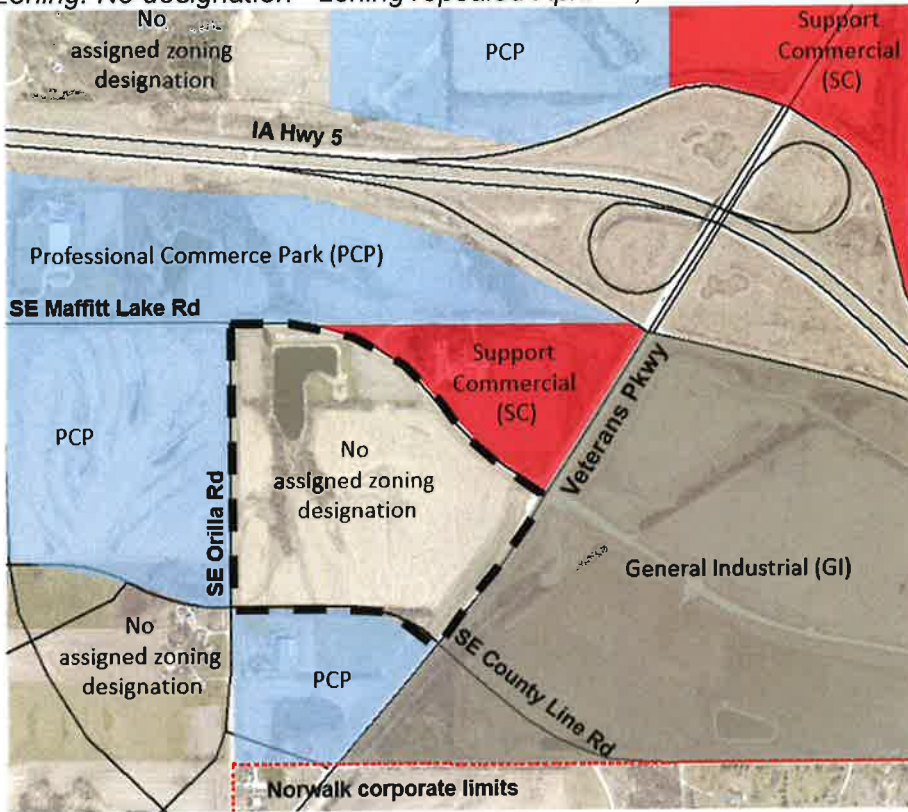
ATTEST:

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.

Consistency Zoning Illustration:

Current Zoning: No designation - zoning repealed April 17, 2023



Proposed Zoning: General Industrial (GI)

