

CITY OF WEST DES MOINES STAFF REPORT COMMUNICATION

Meeting Date: November 20, 2024

ITEM: The Atlas Center, 7001 Westown Parkway – Approval to establish an event center use – WB Realty Company, L.L.C. – PC-006633-2024

RESOLUTION: Approval to Establish Land Use

Background: The applicant, WB Realty Company, L.L.C., and property owner, Brookfield Partners, LLC, request approval of a Permitted Conditional Use for that property located at 7001 Westown Parkway. Specifically, the applicant requests to establish an approximately 13,000 sq. ft. event center located on a portion of the 1st floor on the north side of the building, as well as limited outside areas. An outdoor festival ground is planned to be used for fairs, shows, markets, but not planned to be used at the same time as weddings. Activities that will take place in the outdoor spaces will mostly be weekends during the day/evenings. Music may be a component to these but will not extend past 9PM. The hours will vary depending on the event, but most of the events will have little exterior activity past 9PM and will wrap by 11PM inside.

Staff Review & Comment:

- **History:** The building was built in 2000 and was previously owned by Wells Fargo Bank and used as an office building. The property is zone West Lakes PUD with underlying zoning of Professional Commerce Park (PCP) and allows for event centers with a Permitted Conditional Use permit.
- **Traffic Analysis Findings:** The existing roadway geometry and future traffic control have adequate capacity to accommodate the proposed use. The amount of traffic generated by an event center is largely dependent on when weddings, festivals, and other events are held. Traffic volumes typically spike suddenly before and after these events. This could result in temporary congestion internal to the site and at the access points as many drivers arrive or leave during a short period of time. However, most of these events are anticipated to be off-peak when there is more capacity on the surrounding streets.
- **Staff Comment:**
 - **Exterior Improvements:** In addition to this Permitted Conditional Use Permit consideration by the Board of Adjustment, proposed exterior improvements for the deck and new canopies will require approval of a separate Minor Modification application prior to initiation of work. Minor Modifications are reviewed and approved administratively by City Staff unless code requirements cannot be met the proposed project.
 - **Agreement & Waiver:** Signals are not recommended at 71st & University or 71st & Westown today but may be warranted in the future. Due to the proposed change of use, staff recommends an agreement and waiver be required obligating the owner for twenty-five percent (25%) of a signal at each intersection when installed. Unless provision of the signals is handled otherwise as part of a separate development agreement with the city, this agreement will need to be provided prior to the issuance of any occupancy permits for the Tenant Improvement Permit for the interior event venue space or the approval of the Minor Modification for exterior event related gathering spaces being created.

Recommendation: Approve the Permitted Conditional Use request, subject to the applicant meeting all City Code requirements, and the following conditions of approval:

1. The applicant obtaining approval of a Minor Modification permit for exterior site or building modifications prior to initiating any construction.
2. Unless otherwise provided for as part of a separate development agreement approved by the City Council, prior to issuance of any occupancy permit, including temporary occupancy permit for the interior event venue space or the approval of the associated Minor Modification for exterior event related spaces, the property owner providing a fully executed Agreement and Waiver for their pro-rata share of fully functioning future traffic signals at both/either 71st Street and University Ave and/or 71st Street and Westtown Parkway.

Lead Staff Member: Kate Devine

Approval Meeting Date:

Board of Adjustment	November 20, 2024
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Staff Report Reviews:

<input checked="" type="checkbox"/> Development Coordinator (or) <input checked="" type="checkbox"/> Director <input checked="" type="checkbox"/> Legal Department
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Publications (if applicable)

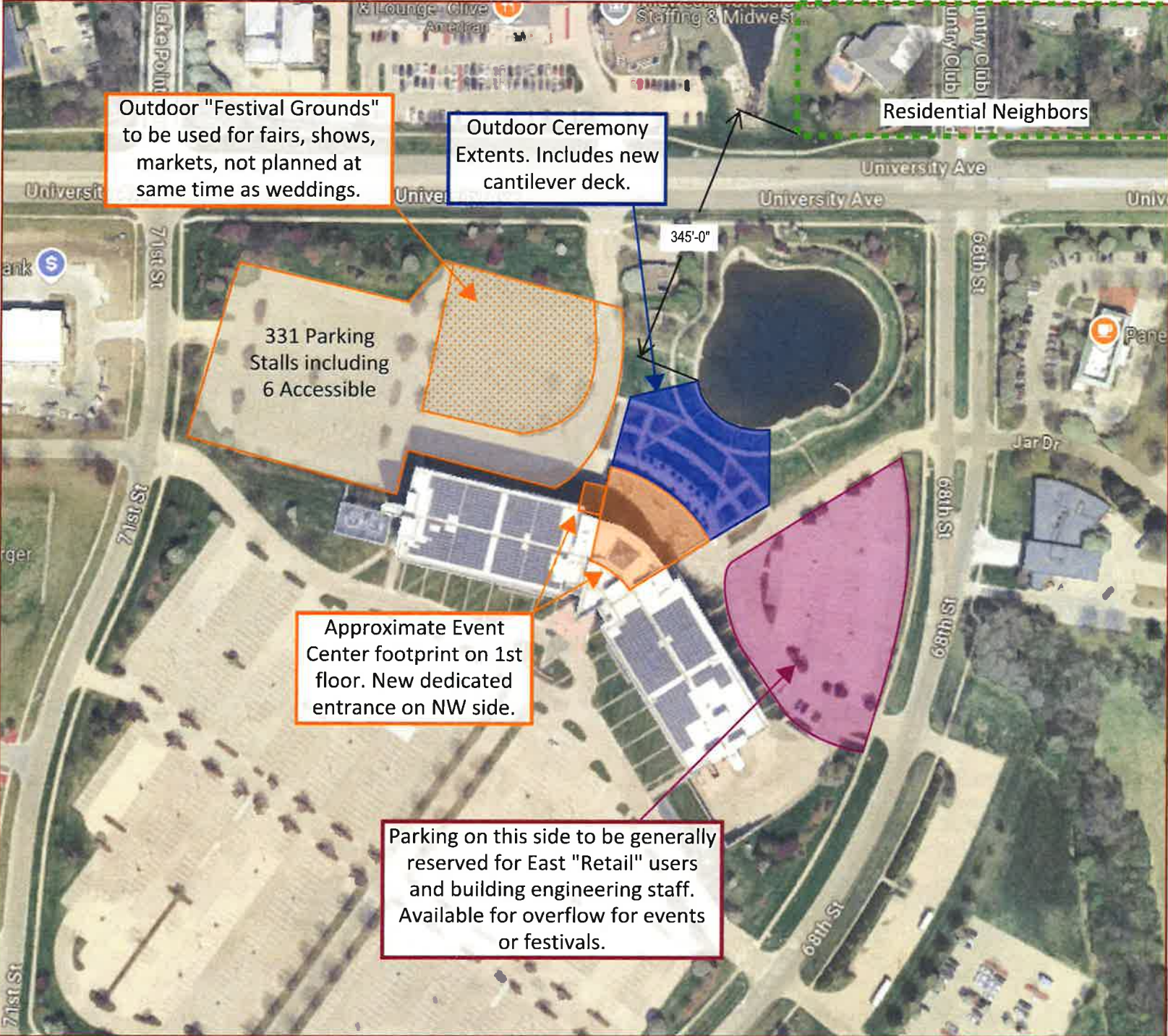
Published In:	Des Moines Register
Date(s) Published	11/12/24
Date(s) of Mailed Notices	11/5/24

Council Subcommittee Review (if applicable)

Subcommittee	Development & Planning			
Date Reviewed	10/21/24			
Recommendation	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>	No Discussion <input checked="" type="checkbox"/>

Location Map





Outdoor "Festival Grounds" to be used for fairs, shows, markets, not planned at same time as weddings.

Outdoor Ceremony Extents. Includes new cantilever deck.

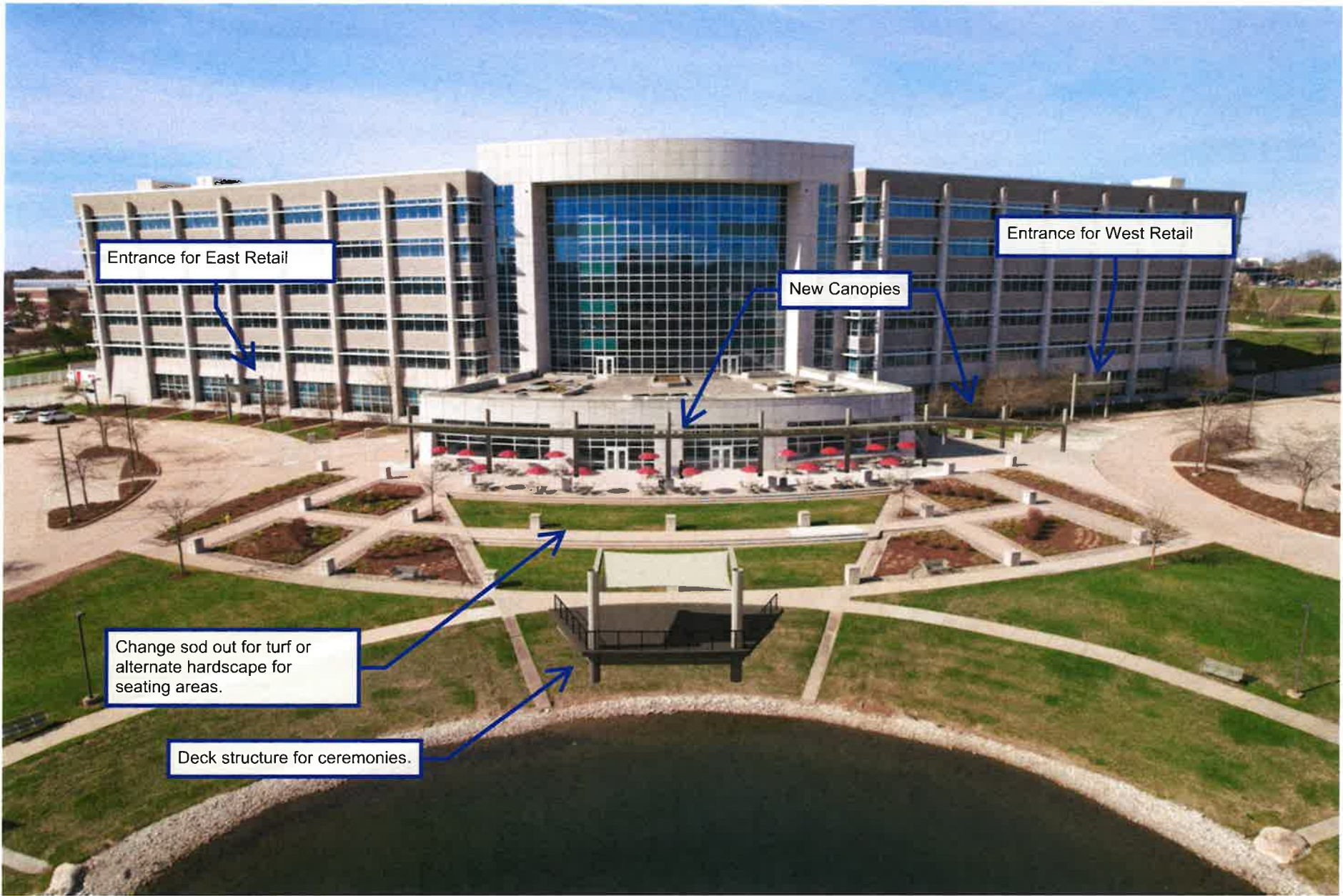
Residential Neighbors

331 Parking Stalls including 6 Accessible

345'-0"

Approximate Event Center footprint on 1st floor. New dedicated entrance on NW side.

Parking on this side to be generally reserved for East "Retail" users and building engineering staff. Available for overflow for events or festivals.



Entrance for East Retail

Entrance for West Retail

New Canopies

Change sod out for turf or alternate hardscape for seating areas.

Deck structure for ceremonies.

Prepared by: Kate DeVine, City of West Des Moines Development Services Dept., 515-222-3620
When Recorded, Development Services, City of West Des Moines, PO Box 65320, West Des Moines, IA
Return to: 50265-0320

RESOLUTION NO. BOA-2024-18

**A RESOLUTION OF THE BOARD OF ADJUSTMENT OF THE
CITY OF WEST DES MOINES, APPROVING A PERMITTED CONDITIONAL
USE PERMIT TO ALLOW AN EVENT CENTER**

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the property owner, Brookfield Partners, LLC, requests approval of a Permitted Conditional Use permit for that property located at 7001 Westown Parkway and legally described in attached Exhibit 'B'. The applicant is requesting approval allowing an approximately 13,000 sq. ft. event center; 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 request complies with applicable findings and provisions of West Des Moines City Code, the Comprehensive Plan and City Code; and

WHEREAS, on this day this Board of Adjustment held a duly noticed Public Hearing to consider the Permitted Conditional Use permit application.

NOW, THEREFORE, The Board of Adjustment hereby approves the Permitted Conditional Use permit (PC-006633 -2024) subject to compliance with all the conditions in the staff report, dated November 20, 2024, 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 November 20, 2024.

Thomas M. Cunningham, Chairperson
Board of Adjustment

ATTEST:

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Board of Adjustment of the City of West Des Moines, Iowa, at a regular meeting held on November 20, 2024, by the following vote:

AYES:

NAYS:

ABSTAIN:

ABSENT:

Recording Secretary

Exhibit A: Conditions of Approval

1. The applicant obtaining approval of a Minor Modification permit for exterior site or building modifications prior to initiating any construction.
2. Unless otherwise provided for as part of a separate development agreement approved by the City Council, prior to issuance of any occupancy permit, including temporary occupancy permit for the interior event venue space or the approval of the associated Minor Modification for exterior event related spaces, the property owner providing a fully executed Agreement and Waiver for their pro-rata share of fully functioning future traffic signals at both/either 71st Street and University Ave and/or 71st Street and Westtown Parkway.

Exhibit B: Legal Description

LOTS 3, 4, 5, 6 AND 18 IN WEST LAKES OFFICE PARK PLAT 3, AN OFFICIAL PLAT, CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA.