CITY OF WEST DES MOINES
STAFF REPORT COMMUNICATION

Meeting Date: November 18, 2024

ITEM: Ridgeview at Maffitt Lake, 3760 SE Maffitt Lake Road – Amend the Zoning Map to establish Single Family Residential zoning – Palamar Farms, LLC – ZC-006540-2024

ORDINANCE: Approval of Second Reading, Waive Third Reading and adopt Consistency Zoning

Background: The applicant, Dean Roghair with Civil Design Advantage, L.L.C., and property owner, Jared Johnson with Palamar Farms, LLC, request approval of a request for approximately 80.20 acres located at 3760 SE Maffitt Lake Road. The applicant requests an amendment to the Zoning Map to change approximately 9-acres from Professional Commerce Park (PCP) to Single Family Residential (R-1) zoning and to designate the balance of approximately 71 unzoned acres to the same Single Family Residential (R-1) zoning. The proposed zoning is consistent with the adopted Comprehensive Plan Land Use classifications for the property which consists of Mixed Residential (MR), Detached Residential (DR) and Muti-Use Low (MUL). Single family detached dwellings are an allowed Place Type in all of these land use classifications.

Staff Review & Comment:

- *Financial Impact:* Undetermined
- *Anticipated Development:* The requested actions are in anticipation of development of the site for single family residential.
- *Multi-Use Low Areas:* As suggested above, a portion of the subject parcel, as well as parcels to the south, east and west have a Multi-Use Low (MUL) Land Use classification. This collective Multi-Use Low classified area was intentionally placed in response to outreach as part of the Comprehensive Plan update which indicated residents have a desire to walk to neighborhood scaled commercial areas (i.e., within ¼ to ½ mile walk). Although single family development as proposed is a compatible use in MUL, the intent of that land use in situations such as this is to have a good portion of the MUL classified area developed in neighborhood commercial uses desired by and to support the surrounding residential. The property owner has explored the acquisition of the property immediately south of this subject property for possible future expansion of the Ridgeview at Maffitt Estates subdivision. While Staff is not opposed to the small portion of MUL classified area within the property being zoned to Single Family Residential (R-1), Staff explained to the developer the desire to not change most or all of MUL classified ground to single family residential but instead to ensure that a commercial node could someday be developed. The developer acknowledged this and indicated that they are open to implementing some neighborhood commercial uses in the development to the south when that is developed.
- *Mixed Residential Area:* The approximately 27.5 acres immediately adjacent to the south ROW line of SE Maffitt Lake Road at the north end of the subject property has a Comprehensive Plan Land Use classification of Mixed Residential. The Mixed Residential was placed along SE Maffitt Lake Rd to aid in buffering the Detached Residential classified area from the anticipated traffic volumes on SE Maffitt Lake Road, as well as to uses within the industrial and higher intensity multi-use classifications placed on the north side of SE

Maffitt Lake Rd. Designating the Mixed Residential classification helps to provide awareness to what could be more impactful activities (traffic volumes and potential uses) and allowing for transitioning or compatibility between lower intense uses and higher intense or impactful uses. The flexibility built into the Comprehensive Plan allows for the developer to determine, based on their experience in creating and selling other developments, whether or not a transition between the proposed single family detached and SE Maffitt Lake Road and/or the non-residential ground is necessary. The requested detached (single family) residential is an allowed place type within the Mixed Residential land use classification, as is townhome, rowhouse or apartment products to achieve intensity transitions.

- *Developer Responsibilities:* In conjunction with platting, unless otherwise provided in a development agreement with the city, the developer will be responsible for construction and/or installation of all required public and private infrastructure improvements necessary to support development.

- *Traffic Analysis Findings:* The proposed network of arterial and collector streets is generally consistent with the City's ultimate streets plan. The alignments are not exact, and only represent one possible layout of the network. Shifting roadways is acceptable if the streets still function as intended and there is adequate intersection spacing with cross-streets. With the proposed land uses, the site is expected to generate less traffic than previously estimated for the area. The public street system is expected to function with adequate levels of service with the planned ultimate geometry and traffic control. These recommendations may change in the future as land uses in the area are modified in the next comprehensive plan update.

  Southeast Maffitt Lake Road is a minor arterial street adjacent to the property. It is currently a 2-lane roadway with a rural cross-section. As the area continues to develop, reconstructing the roadway to an urban street is recommended to calm vehicular traffic and provide facilities for pedestrians, bicycles, and potentially future transit. Traffic signals are expected to become warranted at the future intersection of the North/South Minor Collector Street. Single-family driveways should be located on local streets, where possible, rather than on the minor collector streets. No single-family driveways should be located directly on Southeast Maffitt Lake Road due to the higher traffic volumes and higher speed.

Outstanding Issues: There are no outstanding issues.

Planning and Zoning Commission Action:

Date:	October 28, 2024
Vote:	6-0 for approval, with Commissioner Davis absent
Recommendation:	Recommend Approval of Consistency Zoning

Planning and Zoning Commission Discussion:

During the presentation of this item, Dan Dutcher representing the Wittern Partnership, owner of property on the north side of SE Maffitt Lake Road and adjacent to the subject property, spoke and noted that the Wittern Partnership land is classified as Industrial High Land Use and provided a letter requesting that with the assignment of single family zoning on the subject property, their property be released from any mitigation requirements (letter attached). Linda Schemmel, Planning Administrator, responded to the comments and mentioned that according to City code and the Comprehensive Plan, the higher intensity use along the north side of SE Maffitt Lake Road, will have the responsibility to mitigate activities and impacts generated within their site to

any type of adjacent residential uses. The letter also asked for a clarification of the street cross-section adjacent to the property. Staff did fix the errors in the vicinity map mentioned in the letter in the staff report before the Planning and Zoning meeting. The Commission approved the rezoning without the requested release from mitigation requirements.

Subsequent to the Planning and Zoning Commission Meeting:
Staff met with representatives of the Wittern Partnership (Misty Wittern, Mark Lee and Dan Dutcher) to discuss the intended single family and impact to their industrial classified ground. Staff explained that regardless of the adjacent land use, the city is going to evaluate their property on its own and has an expectation that any visible impacts generated by a use within their property will be mitigated. Staff mentioned that the Comprehensive Plan does not allow for the placement of Detached Residential adjacent to either Industrial High or Multi-Use High and therefore a transitional land use, in this case Mixed Residential, is located between high and low intensity uses. Staff explained that while single family detached is allowed in Mixed Residential, this land use classification also allows for multi-family residential ranging from townhomes to apartment buildings which can serve as a transition and/or buffer from the single-family to the Industrial High and Multi-Use High land uses; as well as, to what may be a higher traffic road in SE Maffitt Lake Road as the area builds out. Staff indicated that the flexibility of types of residential built into the Mixed Residential classification allows for a developer to make a determination, based on their experiences whether or not there needs to be a transitional land use between the higher intense land uses and road along the north and the single family detached lots. The developer requesting single family zoning for the Mixed Residential area would indicate that he is comfortable in the ability to sell lots adjacent to SE Maffitt Lake Road and across from Industrial High classified ground. Staff did indicate that as part of the platting process, it will be recommended that the developer consider increasing the width of the buffer that will be located along the south side of SE Maffitt Lake Road.

City Council Rezoning First Reading:

Date:	November 4, 2024
Vote:	5-0 for approval

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

1. No single-family driveways should be located directly on SE Maffitt Lake Road due to the anticipated higher traffic volumes and higher speed.

Lead Staff Member: **Emani Brinkman**

Approval Meeting Dates:

Planning and Zoning Commission	October 28, 2024
City Council: First Reading	November 4, 2024
City Council: Second Reading, Waive Third and Adopt	November 18, 2024

Staff Report Reviews:

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

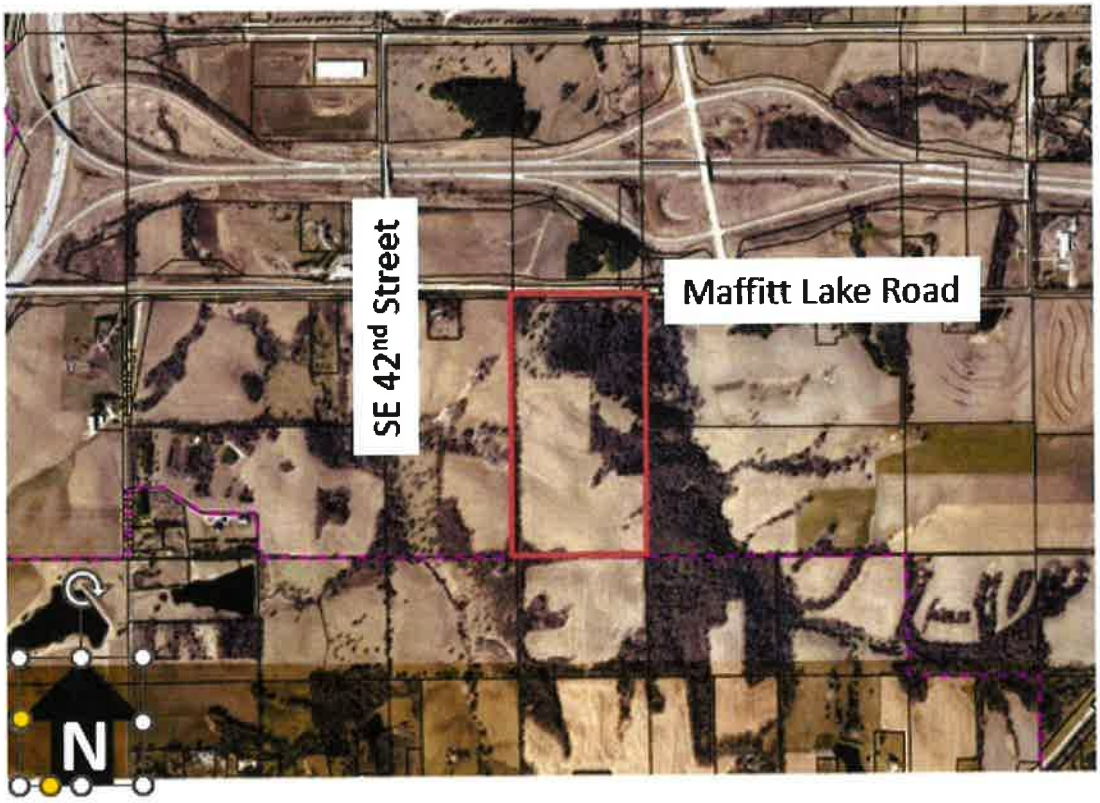
Publications (if applicable)

Published In:	Des Moines Register Community Section
Date(s) Published	10/18/24
Date(s) of Mailed Notices	10/18/24

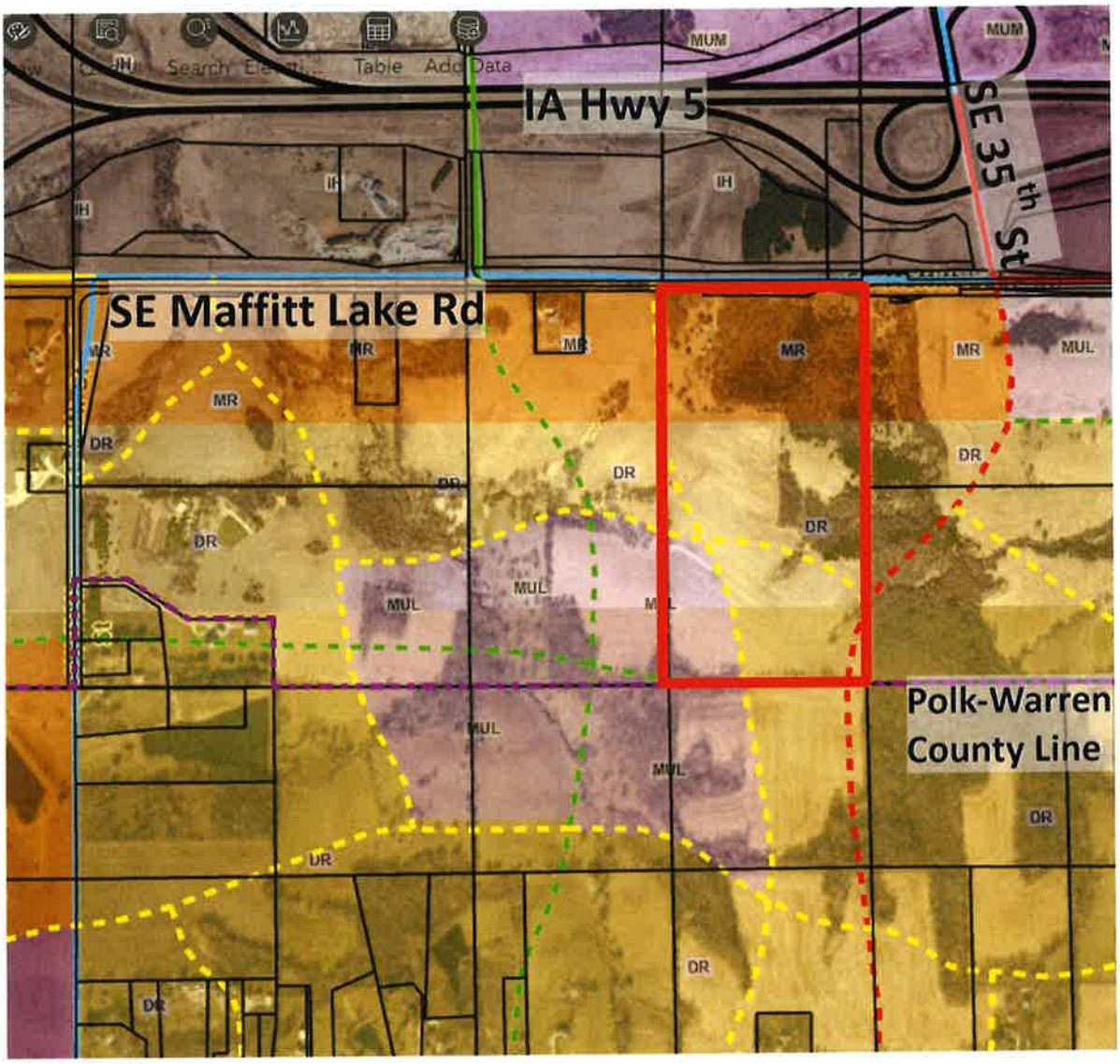
Council Subcommittee Review (if applicable)

Subcommittee	Development & Planning			
Date Reviewed	8/19/24			
Recommendation	Yes ☐	No ☐	Split ☐	No Discussion ☒

Location Map



Comprehensive Plan Land Use Classifications



A RESOLUTION OF THE PLANNING AND ZONING COMMISSION
NO. PZC-24-054

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the property owner, Jared Johnson with Palamar Farms, LLC, requests approval for a Zoning Map Amendment for property located at 3760 SE Maffitt Lake Road as depicted on the Consistency Zoning Illustration included in the staff report to change the zoning designation as follows:

- Amend the Zoning Map to change approximately 9 acres from Professional Commerce Park (PCP) zoning to Single Family Residential (R-1) Zoning District; and
- Amend the Zoning Map to designate Single Family Residential (R-1) Zoning District on approximately 71 acres consistent with the assigned Comprehensive Plan Land Use classifications.

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-006540-2024) 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 October 28, 2024.

Tina Shaw, 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 October 28, 2024, by the following vote:

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

NAYS:

ABSTENTIONS:

ABSENT: Davis

ATTEST:

Recording Secretary

Prepared by: Emani Brinkman, 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, 2024, 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 changing approximately 9 acres from Professional Commerce Park (PCP) zoning to Single-Family Residential (R-1) Zoning District, and designating the Single-Family Residential (R-1) Zoning District on approximately 71 acres 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

THE EAST ½ OF THE SOUTHEAST ¼ OF SECTION 32, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST ¼ CORNER OF SAID SECTION 32; THENCE SOUTH 00°36'50" EAST ALONG THE EAST LINE OF SAID SOUTHEAST ¼, A DISTANCE OF 2649.66 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 32; THENCE SOUTH 89°56'43" WEST ALONG THE SOUTH LINE OF SAID SOUTHEAST ¼, A DISTANCE OF 1321.29 FEET TO THE SOUTHWEST CORNER OF SAID EAST ½ OF THE SOUTHEAST ¼; THENCE NORTH 00°23'01" WEST ALONG THE WEST LINE OF SAID EAST ½ OF THE SOUTHEAST ¼, A DISTANCE OF 2657.90 FEET TO THE NORTHWEST CORNER OF SAID EAST ½ OF THE SOUTHEAST 1/4; THENCE SOUTH 89°41'27" EAST ALONG THE NORTH LINE OF SAID SOUTHEAST ¼, A DISTANCE OF 1310.71 FEET TO THE POINT OF BEGINNING, EXCEPT MAFFITT LAKE ROAD RIGHT OF WAY.

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.

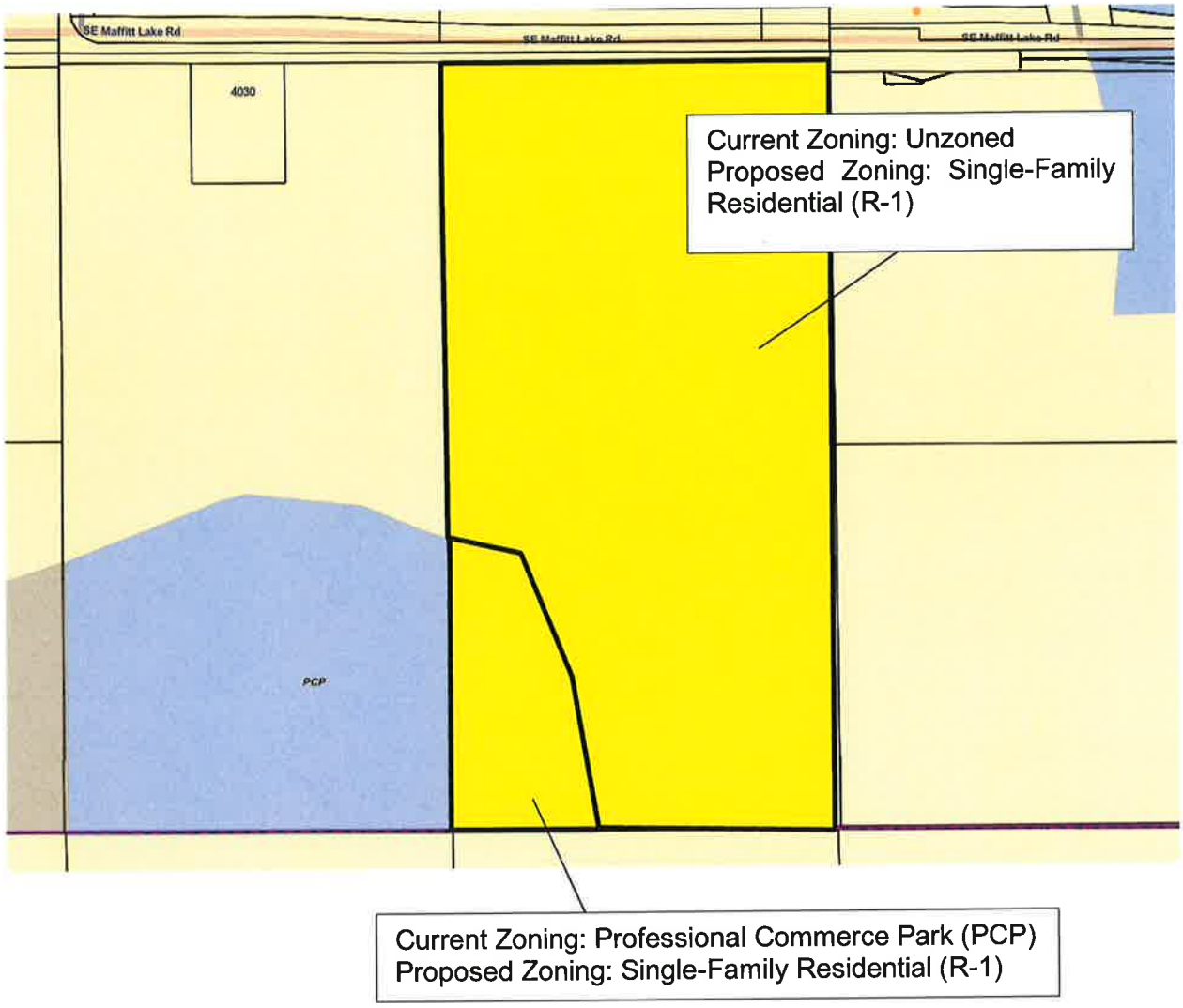
SECTION 6. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed and approved by the City Council on November 18, 2024.

_____
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 _____, 2024, and was published in the Des Moines Register on _____ , 2024.

Consistency Zoning Illustration