



Date June 13, 2022

**RESOLUTION HOLDING HEARING ON REQUEST FROM KRAUSE PROPERTIES, LC (OWNER), REPRESENTED BY CHARLEY W. CAMPBELL (OFFICER), FOR PROPERTY AT 2500 SOUTHEAST 43RD STREET.**

**WHEREAS**, on May 23, 2022, by Roll Call No. 22-0780, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on May 5, 2022, the City Plan and Zoning Commission voted 13-0 in support of a motion finding that the proposed rezoning was inconsistent with PlanDSM future land use map; and

**WHEREAS**, on May 23, 2022, by Roll Call No. 22-0780, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on May 5, 2022, its members voted 13-0 in support of a motion to recommend **APPROVAL** of a request by Krause Properties, LC (owner), represented by Charley W. Campbell (officer), to amend the PlanDSM: Creating Our Tomorrow future land use designation from Business Park to Industrial; and

**WHEREAS**, on May 23, 2022, by Roll Call No. 22-0780, the City Council received a communication from the City Plan and Zoning Commission further advising that at a public hearing held on May 5, 2022, its members voted 13-0 in support of a motion to recommend **APPROVAL** of a request by Krause Properties, LC (owner), represented by Charley W. Campbell (officer) to rezone from "EX" Mixed Use District to "I2" Industrial District for property located at 2500 Southeast 43<sup>rd</sup> Street to allow the use of the property as a truck parking facility; and

**WHEREAS**, on May 23, 2022, by Roll Call No. 22-0780, it was duly resolved by the City Council that the request for approval of the proposed PlanDSM Comprehensive Future Land Use Plan amendment and rezoning of the Property, legally described as follows, be set down for hearing on June 13, 2022, at 5:00 P.M., in the Council Chamber at City Hall:

PARCEL "D"

PART OF THE SOUTHEAST QUARTER (SE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION 17, TOWNSHIP 78 NORTH, RANGE 23, WEST OF THE 5TH P.M., ALL BEING IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER (N ¼) CORNER OF SAID SECTION 17; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE EAST LINE OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 17, A DISTANCE OF 2,087.54 FEET TO THE POINT OF BEGINNING, THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 559.14



**Roll Call Number**

**Agenda Item Number**

69

**Date** June 13, 2022

FEET TO THE CENTER OF SECTION 17, TOWNSHIP 78 NORTH, RANGE 23 WEST; THENCE NORTH 87 DEGREES 56 MINUTES 04 SECONDS WEST A DISTANCE OF 1,314.77 FEET; THENCE NORTH 00 DEGREES 04 MINUTES 29 SECONDS WEST A DISTANCE OF 568.63 FEET; THENCE SOUTH 87 DEGREES 31 MINUTES 23 SECONDS EAST A DISTANCE OF 1,316.05 FEET TO THE POINT OF BEGINNING, CONTAINING 17.014 ACRES, MORE OR LESS, EXCEPT PUBLIC ROAD RIGHT OF WAY; and

**WHEREAS**, due notice of said hearing was published in the Des Moines Register, as provided by law, setting forth the time and place for hearing on said proposed amendment to the Zoning Ordinance and PlanDSM Comprehensive Future Land Use Plan amendment; and

**WHEREAS**, the Legal Department has prepared an amendment to the Zoning Ordinance of the City of Des Moines to rezone the Property from “EX” Mixed Use District to “I2” Industrial District; and

**WHEREAS**, in accordance with said notice, those interested in said proposed Comprehensive Future Land Use Plan amendment and rezoning, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Des Moines, Iowa, as follows:

1. The communication from the Plan and Zoning Commission is hereby received and filed.
2. Upon due consideration of the facts, and any and all statements of interested persons and arguments of counsel, any objections to the proposed amendment to the PlanDSM: Creating Our Tomorrow Comprehensive Future Land Use Plan designation for 2500 Southeast 43<sup>rd</sup> Street, or the proposed rezoning of the Property from “EX” Mixed Use District to “I2” Industrial District are hereby received and filed, any and all objections to the proposed amendment and rezoning of the Property to “I2” Industrial District are overruled, and the hearing is closed.
3. The proposed amendment to the PlanDSM: Creating Our Tomorrow Plan for the Property locally known as 2500 Southeast 43<sup>rd</sup> Street to Industrial is hereby approved.
4. The proposed rezoning of the Property, as legally described above, to “I2” Industrial District, is hereby found to be in conformance with the PlanDSM: Creating Our Tomorrow Land Use Plan as amended and is approved, subject to final passage of an ordinance rezoning the Property as set forth herein.



**Roll Call Number**

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69

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Moved by \_\_\_\_\_ to adopt. Second by \_\_\_\_\_

APPROVED AS TO FORM:

/s/ Gary D. Goudelock Jr.  
Gary D. Goudelock Jr.  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
MANDELBAUM				
SHUEMAKER				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	

**CERTIFICATE**

I, LAURA BAUMGARTNER, Acting City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

\_\_\_\_\_ Mayor

\_\_\_\_\_ Acting City Clerk



May 17, 2022

Communication from the City Plan and Zoning Commission advising that at their May 5, 2022 meeting, the following action was taken regarding a request from Krause Properties, LC (owner), represented by Charley W. Campbell (officer) to rezone property located at 2500 Southeast 43<sup>rd</sup> Street from “EX” Mixed Use District to “I2” Industrial District to allow the use of the property as a truck parking facility.

**COMMISSION RECOMMENDATION:**

After public hearing, the members voted 13-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus	X			
Dan Drendel	X			
Leah Rudolphi	X			
Dory Briles				X
Abby Chungath	X			
Kayla Berkson	X			
Chris Draper	X			
Jann Freed	X			
Todd Garner	X			
Johnny Alcivar	X			
Justyn Lewis	X			
Carolyn Jenison	X			
William Page	X			
Andrew Lorentzen	X			
Emily Webb	X			

**APPROVAL** of Part A) The proposed rezoning be found not in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan, which designates the property as Business Park.

Part B) Approval of the requested amendment to the PlanDSM future land use designation from Business Park to Industrial Use since the Industrial designation should be focused in areas of the City that are already designated for those types of uses.

Part C) Approval of the rezoning of the property from “EX” Mixed-Use District to “I2” Industrial District.



## STAFF RECOMMENDATION TO THE P&Z COMMISSION

Part A) Staff recommends that the proposed rezoning be found not in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan, which designates the property as Business Park.

Part B) Staff recommends approval of the requested amendment to the PlanDSM future land use designation from Business Park to Industrial Use since the Industrial designation should be focused in areas of the City that are already designated for those types of uses.

Part C) Staff recommends approval of the rezoning of the property from “EX” Mixed-Use District to “I2” Industrial District.

### Written Responses

0 in Favor

0 in opposition

## STAFF REPORT TO THE PLANNING COMMISSION

### I. GENERAL INFORMATION

- 1. Purpose of Request:** The applicant is proposing to develop a facility for truckers and small businesses to store vehicles and other equipment when not in use. Over 300 such spaces are being proposed and would be available to rent with secure access to the facility. The proposed use is most consistent with a with a Storage, Distribution and Wholesaling - Trucking & Transportation Terminal use type. Since the applicant is proposing to retain above ground storage of flammable and combustible liquids in excess of 1,000 gallons, the use would fall under the Fabrication and Production - Intensive allowed under “I2” Industrial District.
- 2. Size of Site:** 16.7 Acres (729,041 square feet).
- 3. Existing Zoning (site):** “EX” Mixed-Use District.
- 4. Existing Land Use (site):** The subject property is currently undeveloped, with an existing above-ground LP tank fenced in the southeast quadrant of the property. The uses in the general vicinity of the site are predominantly industrial in nature.
- 5. Adjacent Land Use and Zoning:**
  - North** – “EX”; Use is an auto repair and service shop.
  - South** – “EX”; Use is an animal service facility.
  - East** – Use is a pipeline company in the City of Pleasant Hill.
  - West** – “PUD”; Use is undeveloped land.
- 6. General Neighborhood/Area Land Uses:** The subject property is located along Southeast 43<sup>rd</sup> Street, south of Vandalia Road at the easternmost edge of the City of Des Moines. The uses in the general vicinity of the site are predominantly industrial in nature as well as include undeveloped land.

- 7. Applicable Recognized Neighborhood(s):** The subject property is not located within a designated neighborhood association. All neighborhoods were notified of the public hearing by mailing of the Preliminary Agenda on April 15, 2022. Additionally, separate notifications of the hearing for this specific item were mailed on April 15, 2022 (20 days prior to the hearing) and April 25, 2022 (10 days prior to the hearing) to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site. A Final Agenda was mailed to recognized neighborhoods on April 29, 2022. All agendas and notices are mailed to the primary contact designated by the recognized neighborhood association to the City of Des Moines Neighborhood Development Division.

The applicant can provide a summary of the neighborhood meeting at the public hearing.

- 8. Relevant Zoning History:** None

- 9. PlanDSM: Creating Our Tomorrow Plan Land Use Plan Designation:** Business Park.

- 10. Applicable Regulations:** Taking into consideration the criteria set forth in Chapter 18B of the Iowa Code, the Commission reviews all proposals to amend zoning boundaries or regulations within the City of Des Moines. Such amendments must be in conformance with the comprehensive plan for the City and designed to meet the criteria in 414.3 of the Iowa Code. The Commission may make recommendations to the City Council on conditions to be made in addition to the existing regulations so long as the subject property owner agrees to them in writing. The recommendation of the Commission will be forwarded to the City Council.

## **II. ADDITIONAL APPLICABLE INFORMATION**

- 1. PlanDSM Creating Our Tomorrow:** The applicant has proposed "I2" Industrial District in order to allow truck parking and storage and retention of an existing above-ground fuel tank.

The proposed "I2" Industrial District is not consistent with the current "Business Park" land use designation. Plan DSM describes this designation as follows:

*Business Park: Accommodates light industrial, office and employment uses along with limited complementary retail uses. Industrial uses in this category would produce little or no noise, odor, vibration, glare, or other objectionable influences and would have little or no adverse effect on surrounding properties.*

In order for the proposed rezoning to "I2" District to be in conformance with PlanDSM, the future land use designation must be amended to Industrial.

The Industrial designation is described as follows:

*Industrial: Accommodates industrial development and limited supporting commercial uses. Development in this classification could have a large impact on adjoining properties and the environment which would need to be mitigated.*



The Zoning Ordinance states that the "I2 District is intended for general and higher intensity industrial uses as well as warehousing and transportation terminals. Building types allowed in this district include the General Building, Workshop/Warehouse, Civic Building, and Principal-Use Parking Structure.

Staff believes that industrial uses should be located in areas of the City that are already designated for those types of uses. The subject property is located in an area that is predominantly industrial in nature. Therefore this is an appropriate location. For I2 zoning, accommodating industrial uses could have a significant negative impact on adjoining properties if they are residential, environmentally sensitive, or other lower intensity uses. There are no existing or proposed uses adjacent to the property that could be negatively impacted as a result of the proposed use.

- 2. Planning and Design Ordinance:** Any construction or change in use must comply with all applicable site plan and design regulations of the Planning and Design Ordinance (City Code Chapter 135). Furthermore, the applicant may be required to prepare a Site Plan and building elevations for any proposed additions or modifications for review before the property can be legally occupied by the proposed use.

## **SUMMARY OF DISCUSSION**

Emily Webb asked if any member of the public or commission desired to speak on the item. No one requested to speak.

## **COMMISSION ACTION:**

Carolyn Jension made a motion for:


Part A) The proposed rezoning be found not in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan, which designates the property as Business Park.

Part B) Approval of the requested amendment to the PlanDSM future land use designation from Business Park to Industrial Use since the Industrial designation should be focused in areas of the City that are already designated for those types of uses.

Part C) Approval of the rezoning of the property from "EX" Mixed-Use District to "I2" Industrial District.

Motion passed: 13-0

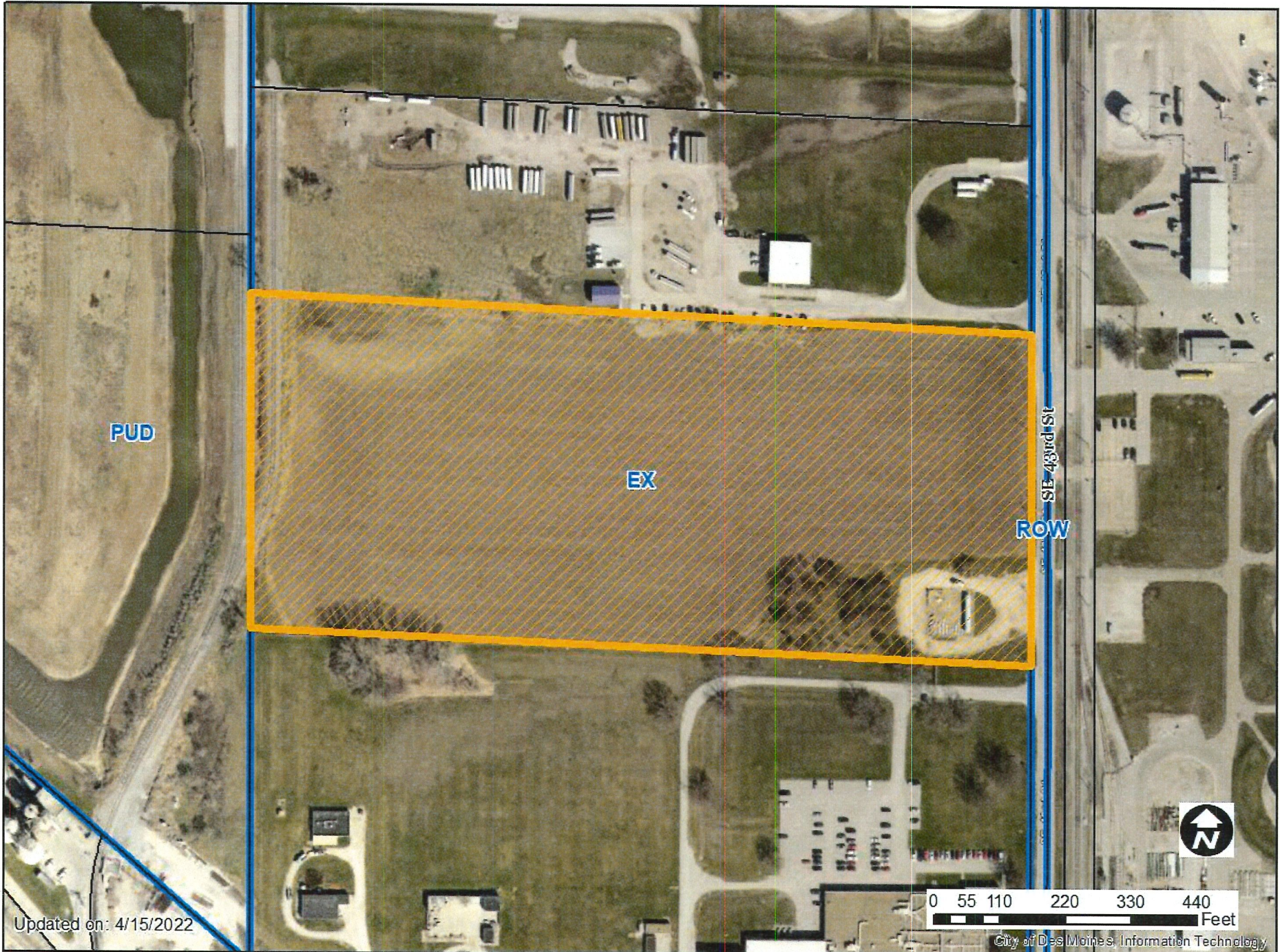
Respectfully submitted,



Jason Van Essen, AICP  
Planning & Urban Design Administrator

JMV:tjh





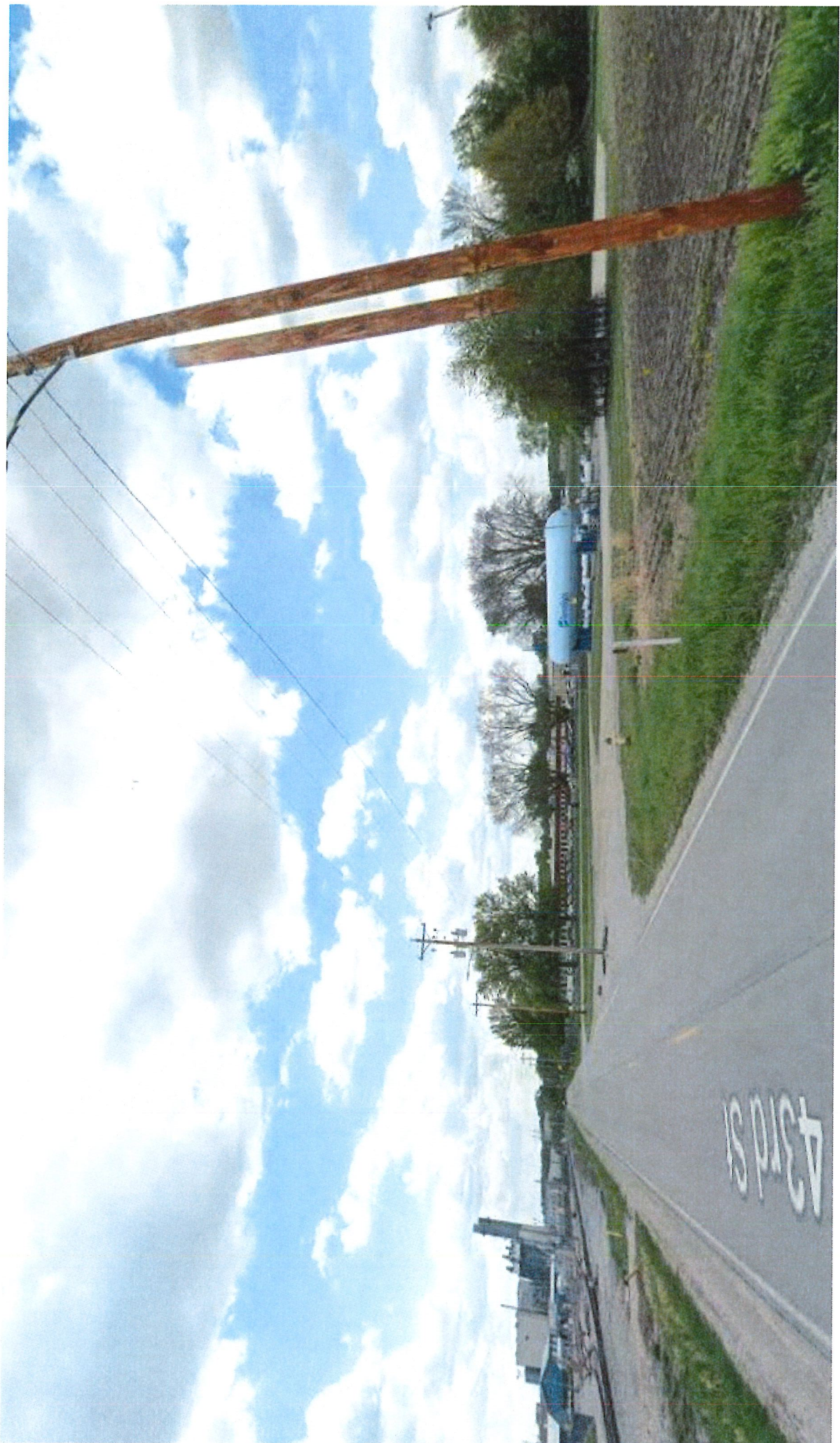
Updated on: 4/15/2022

0 55 110 220 330 440 Feet

City of Des Moines, Information Technology

1 inch = 213 feet













Stagecoach Storage is a company that develops and oversees facilities for over the road truckers and small businesses to store vehicles and equipment when not in use.

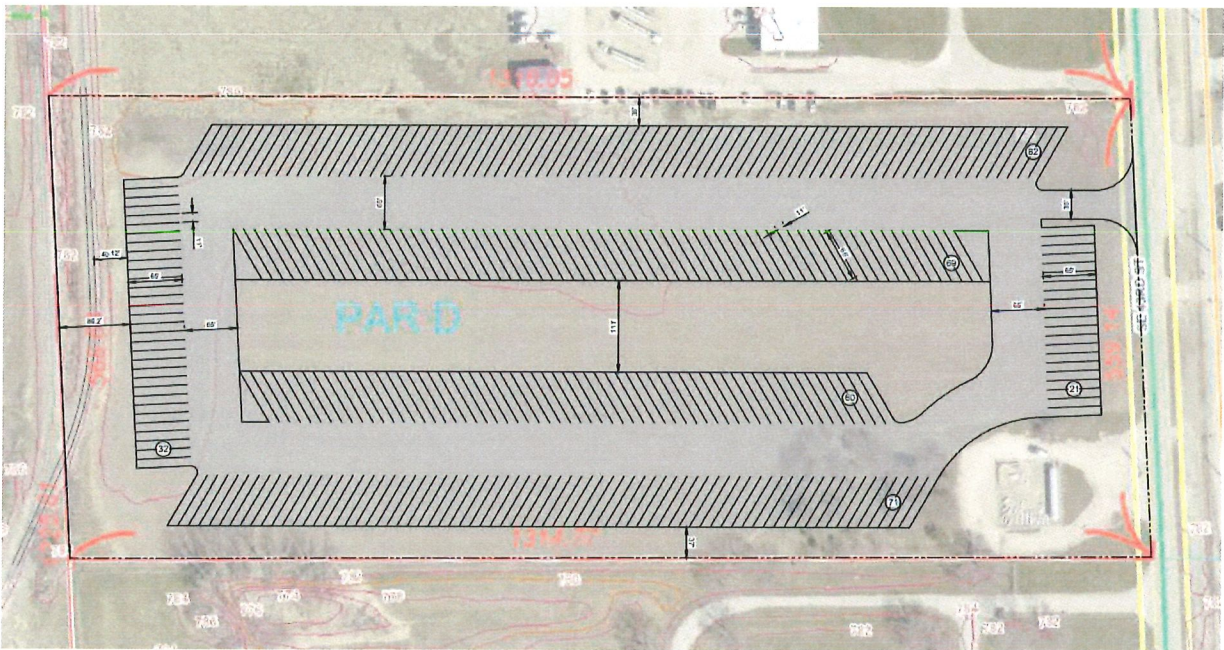
We rent spaces to these businesses to store the vehicles and equipment on a monthly basis and allow them 24/7 secure access to the facility.

Our facilities are clean, secure, lit and have gated entrances. We have security cameras to be able to monitor the facilities 24/7.

We currently have 5 lots in Minnesota and are looking to expand into the Des Moines area and feel the property located at 2500 SE 43rd, Pleasant Hills, will be a fitting location for us to expand into.

We anticipate this lot will provide over 300 spaces for these businesses to rent.

Our clients use the facilities, on average, 6 days a month and our history shows that we have just 10% of our clients coming and going on any given day. We do not anticipate any major changes to the traffic pattern of the area.



**Project notes:**

- 1, Property size = 731,851 SF
  - Impervious coverage to be no more than 60%
  - Previous alternative coverage to be no more than 15%
  - Green space and water retention area to be no less than 25%
- 2, Property to have fence and berm as needed around perimeter
- 3, Secure entrance gate and automatically closed after entrance or exit
- 4, Property to be lit to code specifications with shoebox style lites
- 5, Electrical systems to be installed to assure vehicles do not need to be running in cold temperature months
- 6, Landscaping would meet all city requirements

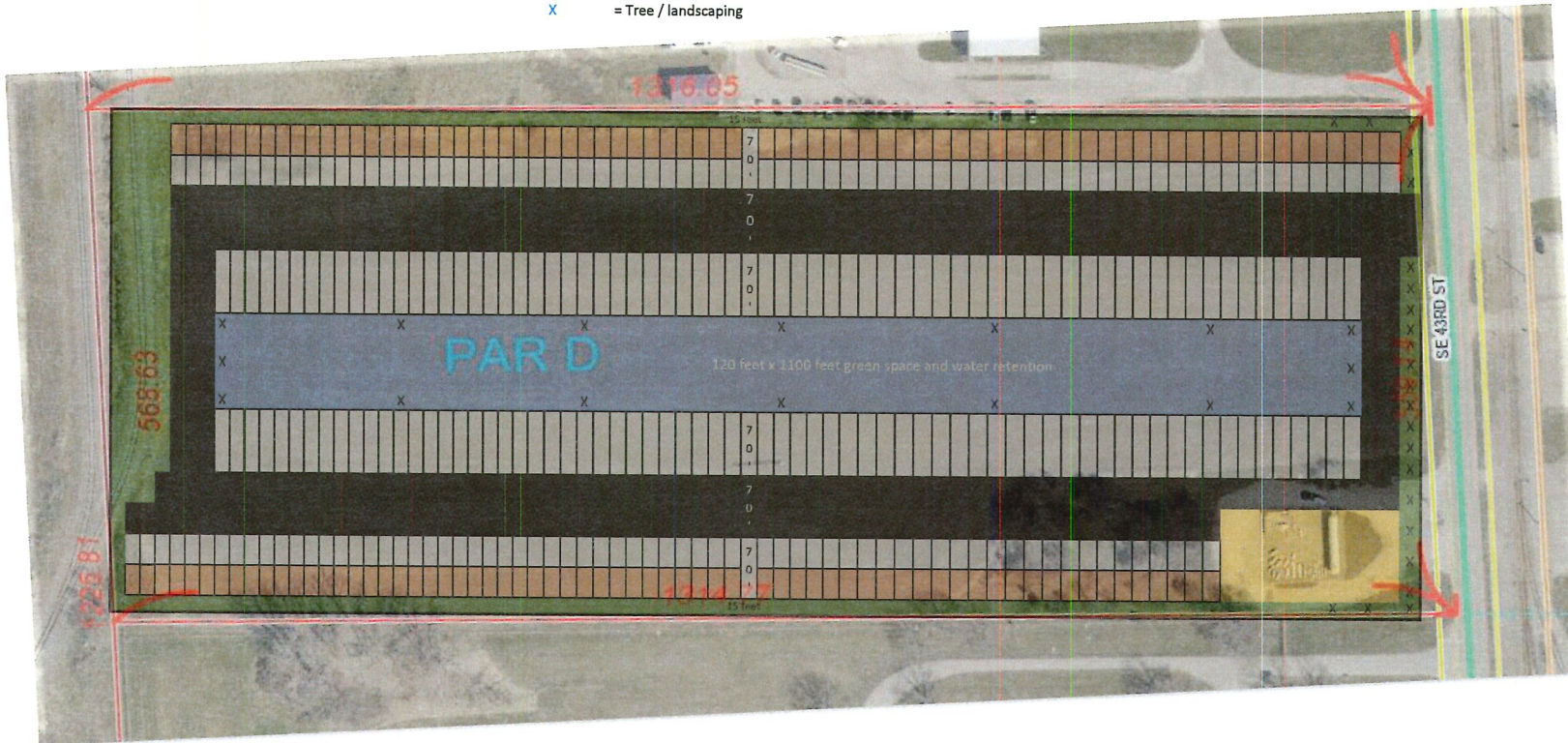
We appreciate your consideration on this project and look forward to working with the city of Des Moines through this process.

Stagecoach Storage  
Mike Schaeffer



Stagecoach Storage - Property layout concept (3/29/2022)  
 2500 SE 423rd Street, Pleasant Hills, IA 50327

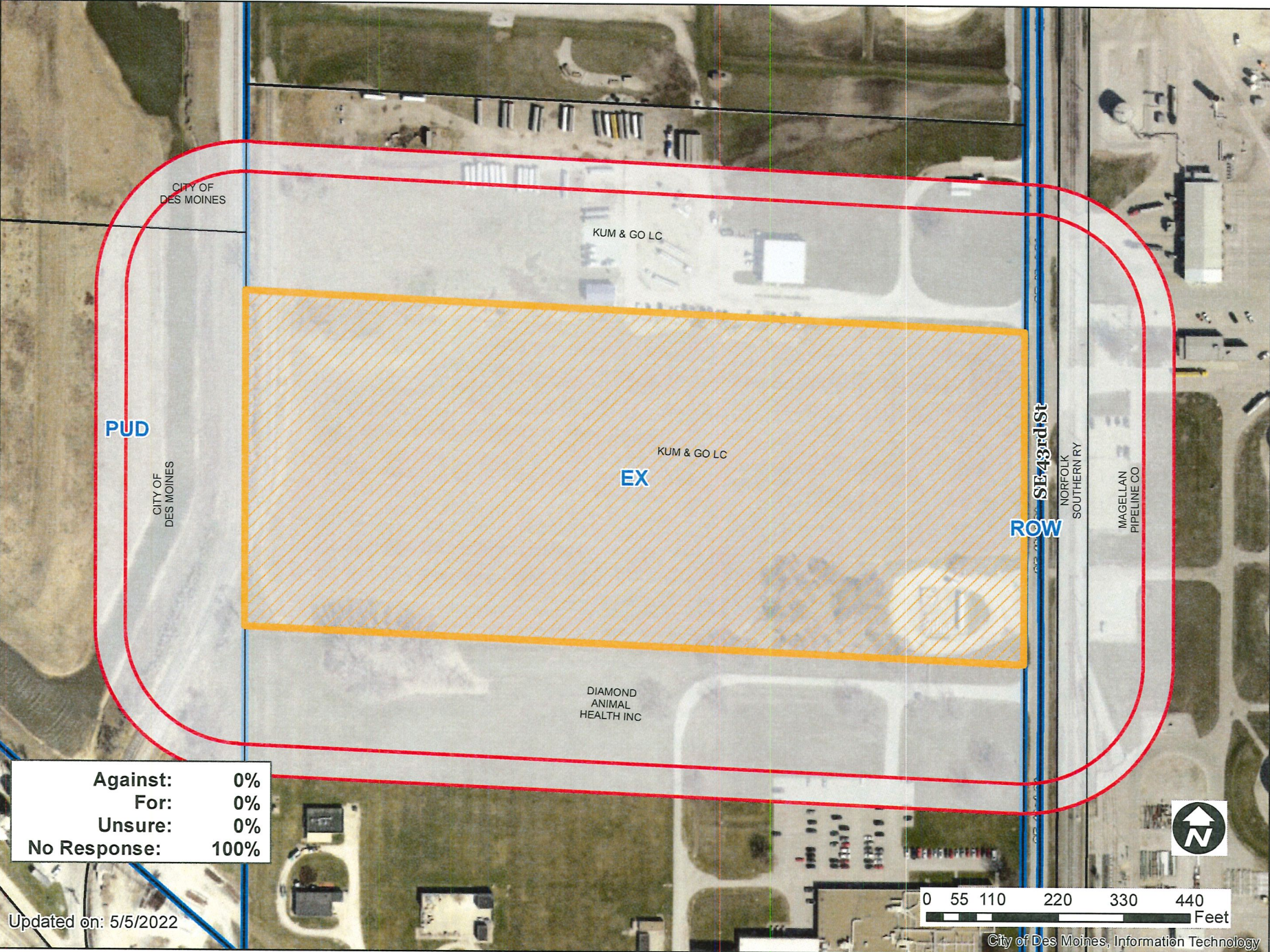
- = Green space (green plus blue area to be no more than 75%)
- = Green space / Water retention area
- = Drive lane (blacktop or concrete)
- = Pervious / alternative material (up to 15%)
- = Existing tenant
- X = Tree / landscaping



Project notes:

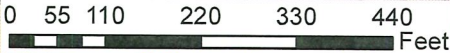
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- 2, Property to have fence and berm as needed around perimeter
- 3, Secure entrance gate and automatically closed after entrance or exit
- 4, Property to be lit to code specifications with shoebox style lites
- 5, Electrical systems to be installed to assure vehicles do not need to be running in cold tempiture months
- 6, Landscaping (trees marked with X) to be added along East property line for screening from road and internal trees





Against:	0%
For:	0%
Unsure:	0%
No Response:	100%

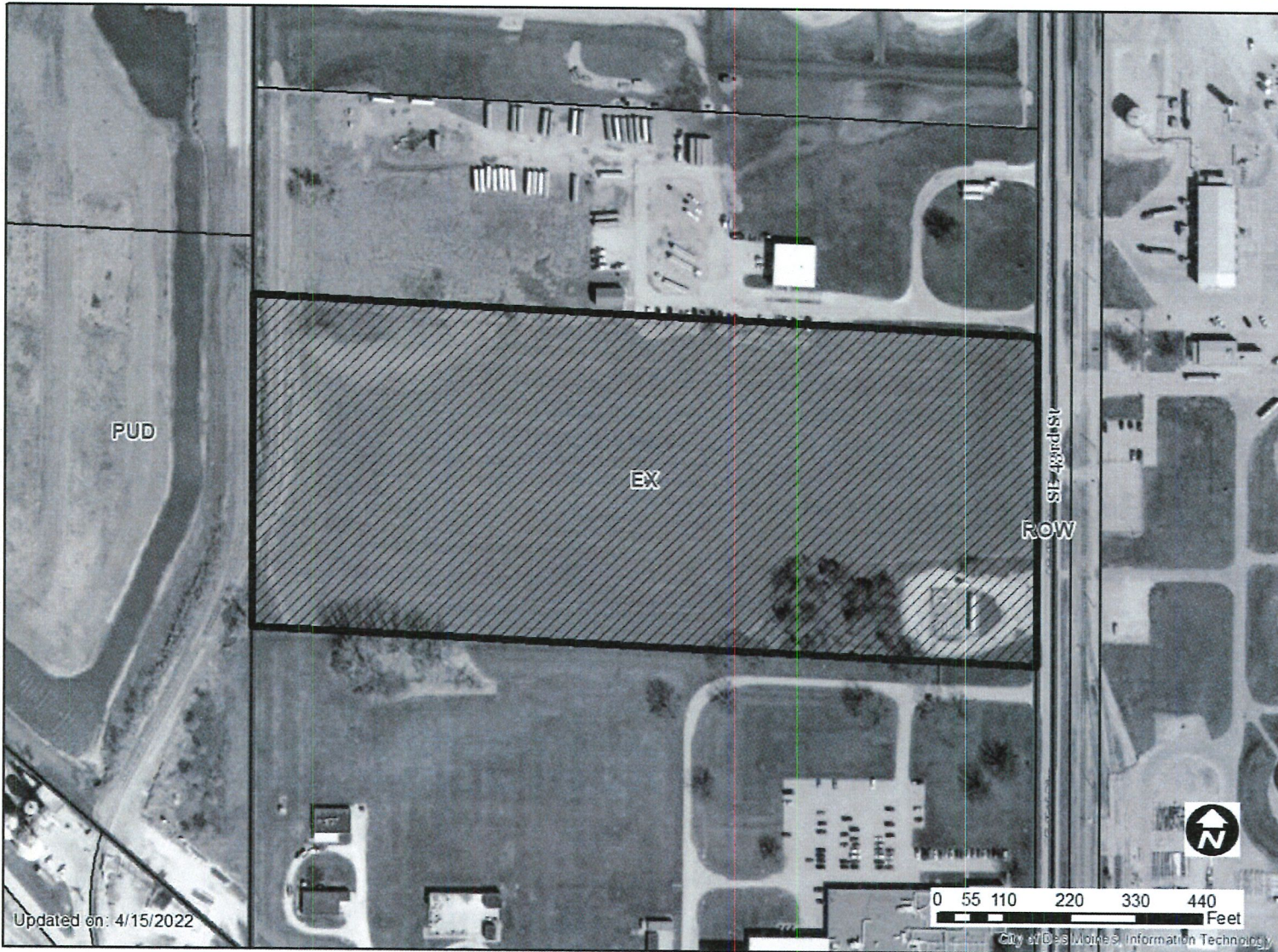
Updated on: 5/5/2022





Krause Properties, LC, 2500 Southeast 43rd Street

ZONG-2022-000028



1 inch = 213 feet