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21 ✓

Date November 7, 2022

RESOLUTION SETTING PUBLIC HEARING REGARDING REQUEST FROM CITY OF DES MOINES AND BOARD OF WATER WORKS TRUSTEES (OWNER), REPRESENTED BY TED CORRIGAN (OFFICER) FOR PROPERTY LOCATED IN THE VICINITY OF 2508 GEORGE FLAGG PARKWAY, TO AMEND PLANDSM CREATING OUR TOMORROW PLAN TO REVISE THE FUTURE LAND USE CLASSIFICATION FROM BUSINESS PARK TO INDUSTRIAL, AND TO REZONE THE PROPERTY FROM “EX” MIXED USE DISTRICT TO LIMITED “I1” INDUSTRIAL DISTRICT TO ALLOW OUTDOOR STORAGE THAT WOULD BE ACCESSORY TO AN OFFICE AND GARAGE BUILDING

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on October 20, 2022, its members voted 11-0-1 in support of a motion to recommend **APPROVAL** of a request from City of Des Moines and Board of Water Works Trustees (owner), represented by Ted Corrigan (officer), for six parcels located in the vicinity of 2508 George Flagg Parkway, as follows, to allow outdoor storage that would be accessory to an office and garage building:

Part A) The requested rezoning was found not to be in conformance with PlanDSM: Creating Our Tomorrow Comprehensive Plan.

Part B) The request to amend the PlanDSM: Creating Our Tomorrow Plan Future Land Use Map designation from Business Park to Industrial was approved.

Part C) The rezoning of the subject property from “EX” Mixed Use District to Limited “I1” Industrial District was approved, subject to the following conditions:

1. Use of the property shall be limited to the following:
 - A. Any use as permitted and limited in the “EX” District.
 - B. Outdoor storage accessory to a use that is permitted in the “EX” District, so long as it is placed and screened to the satisfaction of the Planning Administrator.
2. Any future construction or development of the site must comply with all applicable site plan and design regulations of the Planning and Design Ordinance (Chapter 135 of City Code).

WHEREAS, the Property is legally described as follows:

DESCRIPTION FOR AREA OF EX TO BECOME I1:
(RETRACEMENT SURVEY BOOK 17684, PAGE 706)

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Date November 7, 2022

LOTS 11-17 IN VALLEY GARDENS, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING, A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

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

1. That the attached communication from the Plan and Zoning Commission is hereby received and filed.
2. That the meeting of the City Council at which the proposed amendment to PlanDSM Creating Our Tomorrow Comprehensive Plan and proposed conditional rezoning are to be considered, and at which time the City Council will hear both those who oppose and those who favor the proposals, shall be held at City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on November 21, 2022, at which time the City Council will hear both those who oppose and those who favor the proposals.
3. That the City Clerk is hereby authorized and directed to cause notice of said proposal in the accompanying form to be given by publication once, not less than seven (7) days and not more than twenty (20) days before the date of hearing, all as specified in Section 362.3 and Section 414.4 of the Iowa Code.

 **Roll Call Number**

Agenda Item Number
21 ✓

Date November 7, 2022

MOVED BY _____ TO ADOPT. SECOND BY _____.

FORM APPROVED:

/s/ Lisa A. Wieland
 Lisa A. Wieland
 Assistant City Attorney

(ZONG-2022-000086 & ZONG-2022-000091)

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

CERTIFICATE

I, LAURA BAUMGARTNER, 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

 City Clerk

Date 11/7/22

Agenda Item 21

Roll Call # _____

November 1, 2022

Communication from the City Plan and Zoning Commission advising that at their October 20, 2022 meeting, the following action was taken regarding a request from City of Des Moines and Board of Water Works Trustees (owner), represented by Ted Corrigan (officer) to rezone property located in the vicinity of 2508 George Flagg Parkway from “EX” Mixed Use District to “I1” Industrial District, to allow an office and garage building, as well as outdoor storage.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 11-0-1 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			
Todd Garner	X			
Johnny Alcivar	X			
Justyn Lewis				X
Carolyn Jenison				X
William Page	X			
Andrew Lorentzen	X			
Emily Webb	X			
Katie Gillette			X	

ARPROVAL of Part A) The requested rezoning be found not in conformance with PlanDSM: Creating Our Tomorrow Comprehensive Plan.

Part B) Approval of the request to amend the PlanDSM: Creating Our Tomorrow Plan Future Land Use Map designation from Business Park to Industrial.

Part C) Approval of the rezoning of the subject property from “EX” Mixed Use District to “I1” Industrial District, subject to the following conditions:

1. Use of the property shall be limited to the following:
 - A. Any use as permitted and limited in the “EX” District.
 - B. Outdoor storage accessory to a use that is permitted in the “EX” District, so long as it is placed and screened to the satisfaction of the Planning Administrator.
2. Any future construction or development of the site must comply with all applicable site plan and design regulations of the Planning and Design Ordinance (Chapter 135 of City Code).

Written Responses

2 in Favor

0 in opposition

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Part A) Staff recommends that the requested rezoning be found not in conformance with PlanDSM: Creating Our Tomorrow Comprehensive Plan.

Part B) Staff recommends approval of the request to amend the PlanDSM: Creating Our Tomorrow Plan Future Land Use Map designation from Business Park to Industrial.

Part C) Staff recommends approval of the rezoning of the subject property from “EX” Mixed Use District to “I1” Industrial District, subject to the following conditions:

1. Use of the property shall be limited to the following:
 - A. Any use as permitted and limited in the “EX” District.
 - B. Outdoor storage accessory to a use that is permitted in the “EX” District, so long as it is placed and screened to the satisfaction of the Planning Administrator.
2. Any future construction or development of the site must comply with all applicable site plan and design regulations of the Planning and Design Ordinance (Chapter 135 of City Code).

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is proposing to redevelop the subject property as an office building with service garage and outdoor storage for use by the Des Moines Water Works.
2. **Size of Site:** 2.145 acres (93,373 square feet).
3. **Existing Zoning (site):** “EX” Mixed-Use District.
4. **Existing Land Use (site):** Vacant land.

5. Adjacent Land Use and Zoning:

North – “F”; Use is park and open space (Des Moines Water Works).

South – “EX”; Use is warehousing.

East – “EX”; Use is agricultural and entertainment (Jasper Winery).

West – “EX”; Uses are auto repair shop and auto service.

6. General Neighborhood/Area Land Uses: The subject property consists of six parcels (addressed 2412-2512 George Flagg Parkway) along the south side of George Flagg Parkway between Southwest 23rd Street and Southwest 28th Street. It is located in an area consisting primarily of office and commercial/retail uses.

7. Applicable Recognized Neighborhood(s): The subject property is located in the Southwestern Hills neighborhood. All neighborhood associations were notified of the public hearing by mailing of the Preliminary Agenda on September 30, 2022 and by mailing of the Final Agenda on October 14, 2022. Additionally, separate notifications of the hearing for this specific item were mailed on September 30, 2022 (20 days prior to the public hearing) and October 10, 2022 (10 days prior to the public hearing) to the Neighborhood Associations and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site.

All agendas and notices are mailed to the primary contact(s) designated by the recognized neighborhood association to the City of Des Moines Neighborhood Development Division on the date of the mailing. The Southwestern Hills Neighborhood Association mailings were sent to George Davis, 3124 Southwest 29th Street, Des Moines, IA 50321.

The applicant will 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 area 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 is requesting that the future land use designation for the property be revised from “Business Park” to “Industrial”. PlanDSM describes these designations 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.

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 subject property is currently zoned “EX” District. The Zoning Ordinance describes “EX” district as, “intended for locations and corridors with a mix of light industrial and heavier commercial uses, accommodating higher levels of vehicular traffic than MX districts and a predominance of mid-scale employment uses, such as office, low intensity industrial, and warehouse spaces associated with offices.”

The applicant is proposing to rezone the subject property to “I1” District. The Zoning Ordinance describes “I1” district as, “intended for general industrial uses, warehousing, and transportation terminals.”

Staff believes that the proposed land use amendment and proposed rezoning would be consistent with the existing character of the surrounding area so long as any development is constructed in accordance with the recommended conditions of approval.

2. **Floodplain Regulations:** The subject property is located within a levee-protected area. All proposed development would be subject to development restrictions pursuant to City Municipal Code Chapter 50 (Floodplains) for regulations and performance standards.
3. **Grading & Storm Water Management:** Any grading is subject to an approved grading permit and soil erosion control plan, as well as a Stormwater Pollution Protection Plan (SWPPP) approved by the Iowa DNR.
4. **Nature Features:** Any development of the site must comply with the Tree Removal and Mitigation Ordinance contained in Chapter 42, Article X, of the City Code.
5. **Utilities:** The subject property has access to all necessary utilities. There are public storm sewers, sanitary sewers, and water within the George Flagg public right-of-way.
6. **Planning and Design Ordinance:** Any future construction or development of the site must comply with all applicable site plan and design regulations of the Planning and Design Ordinance (Chapter 135 of City Code). Should the rezoning be approved, the applicant would be required to prepare a site plan and building elevations for any proposed additions or modifications.

SUMMARY OF DISCUSSION

Bert Drost advised that item #9 could be moved to the consent agenda as the applicant has agreed to the recommended conditions of approval.

Chris Draper made a motion to move item #9 to the consent agenda.
Motion carried 11-0-1 (Katie Gillette abstained from the vote).

COMMISSION ACTION:

Todd Garner made a motion for:

Part A) The requested rezoning be found not in conformance with PlanDSM: Creating Our Tomorrow Comprehensive Plan.

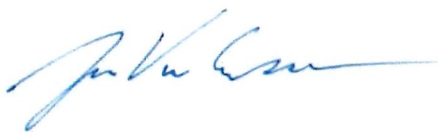
Part B) Approval of the request to amend the PlanDSM: Creating Our Tomorrow Plan Future Land Use Map designation from Business Park to Industrial.

Part C) Approval of the rezoning of the subject property from "EX" Mixed Use District to "I1" Industrial District, subject to the following conditions:

1. Use of the property shall be limited to the following:
 - C. Any use as permitted and limited in the "EX" District.
 - D. Outdoor storage accessory to a use that is permitted in the "EX" District, so long as it is placed and screened to the satisfaction of the Planning Administrator.
2. Any future construction or development of the site must comply with all applicable site plan and design regulations of the Planning and Design Ordinance (Chapter 135 of City Code).

Motion passed: 11-0-1

Respectfully submitted,



Jason Van Essen, AICP
Planning & Urban Design Administrator

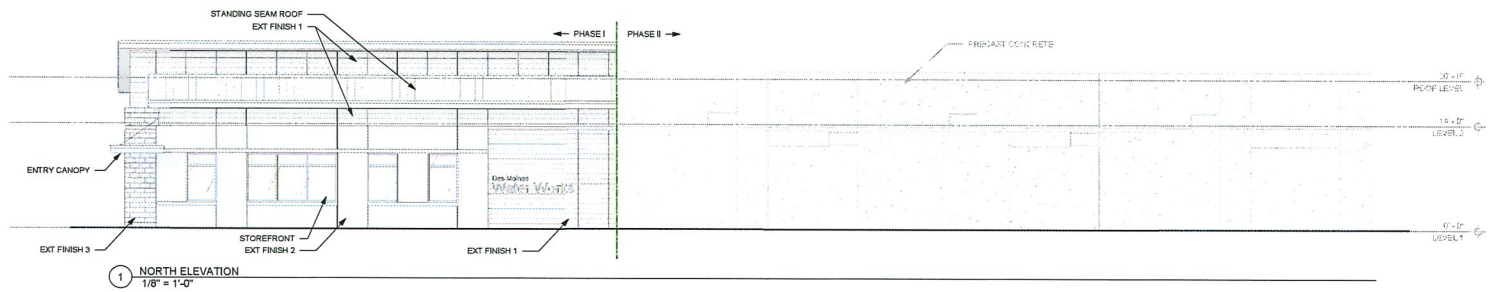
JMV:tjh



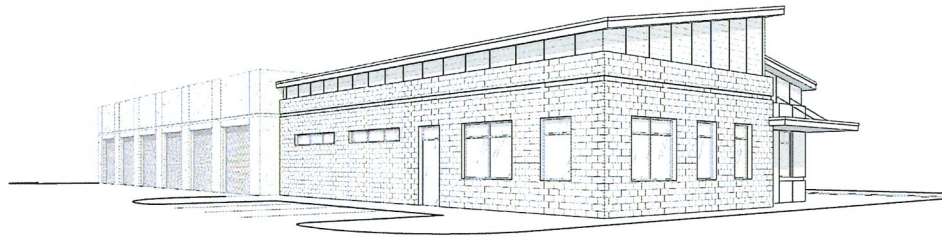
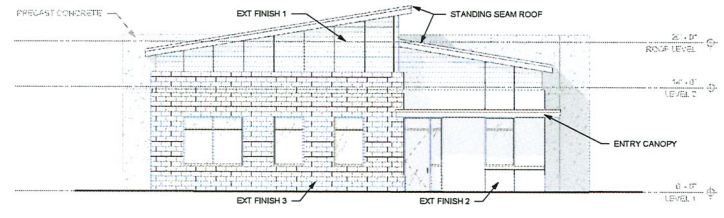
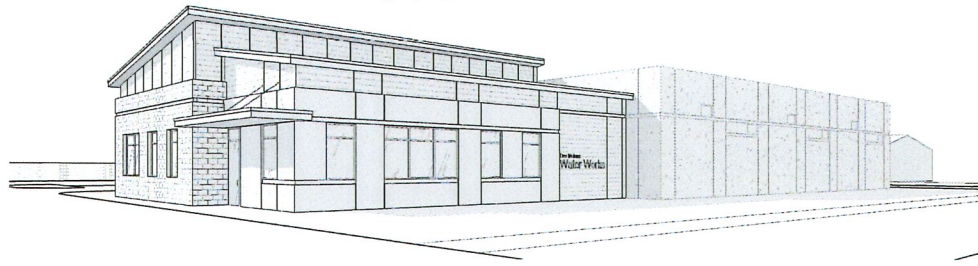
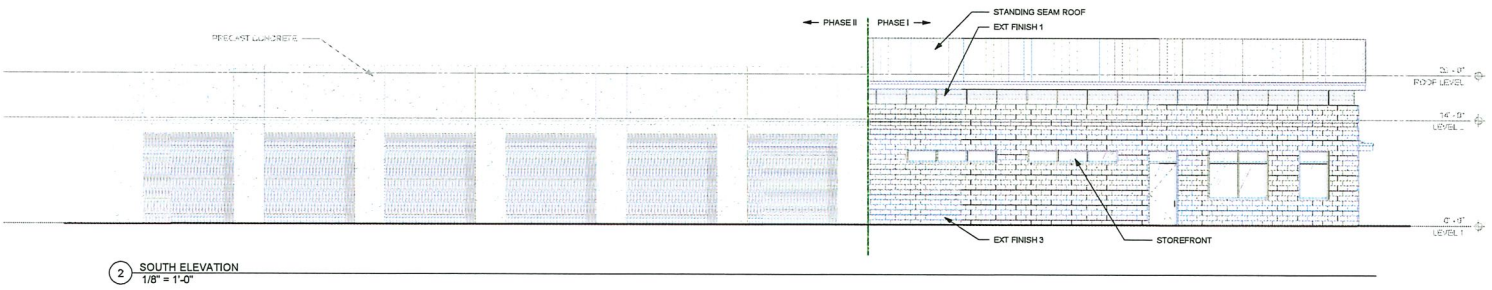
1 inch = 111 feet



1 inch = 111 feet



EXTERIOR FINISHES LEGEND	
	PRECAST CONCRETE
	EXT FINISH 1
	EXT FINISH 2
	EXT FINISH 3
	STOREFRONT
	STANDING SEAM ROOF



WATER WORKS GMF - EXTERIOR ELEVATIONS






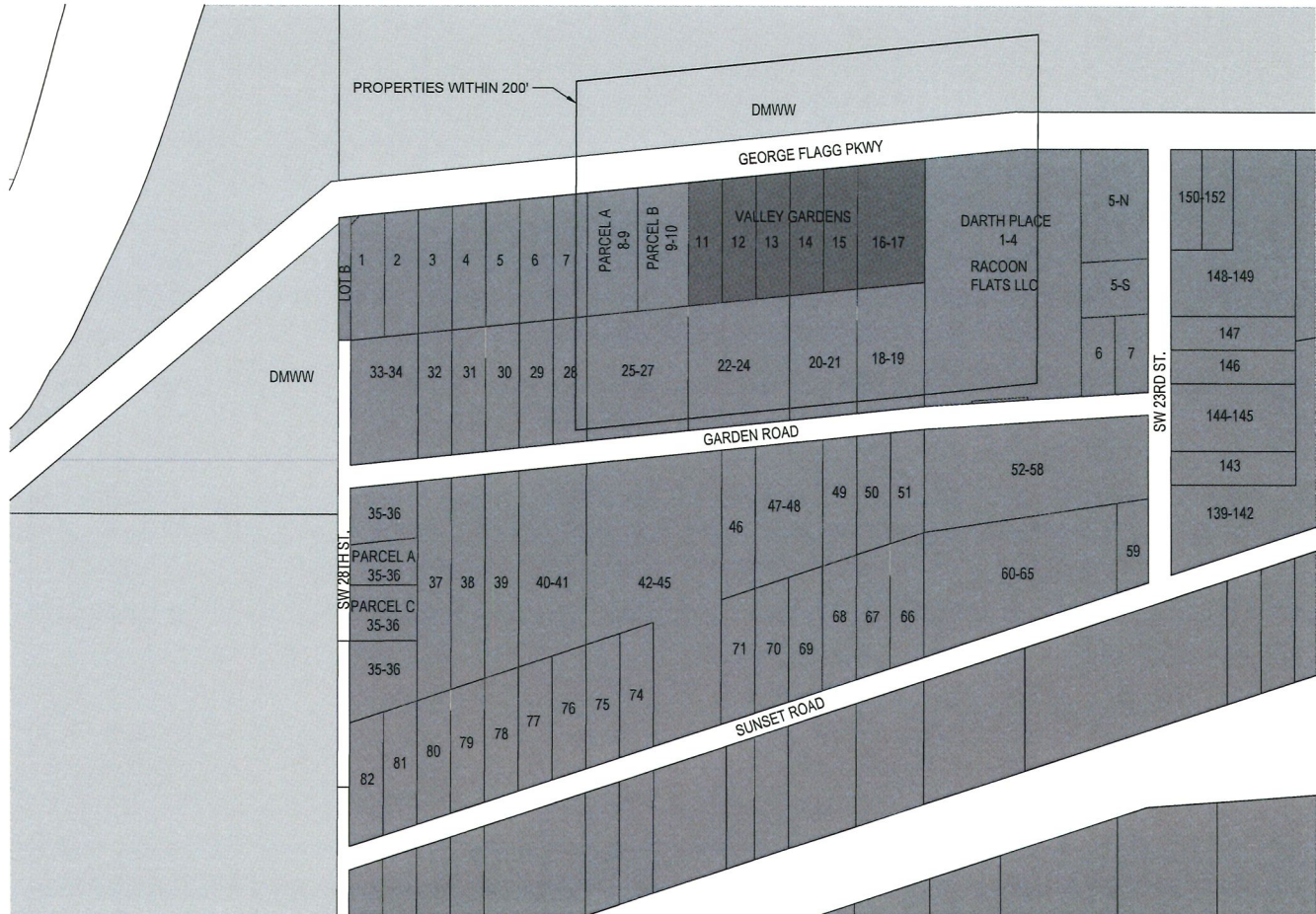
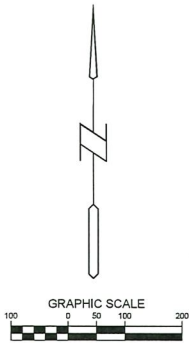
DMWW MAINTENANCE REZONING EXHIBIT



REZONING DESCRIPTION:

DESCRIPTION FOR AREA OF EX TO BECOME U
(RETRACEMENT SURVEY BOOK 17684, PAGE 706)
LOTS 11-17 IN VALLEY GARDENS, AN OFFICIAL PLAT, NOW INCLUDED IN
AND FORMING, A PART OF THE CITY OF DES MOINES, POLK COUNTY,
IOWA.

-  EXISTING ZONING: P1
-  EXISTING ZONING: EX
-  PROPOSED ZONING: U



Bishop Engineering
"Planning Your Successful Development"
3501 104th Street
Des Moines, Iowa 50322-2625
Phone: 515/281-8247 Fax: 515/281-0217
Civil Engineering & Land Surveying Established 1959

DMWW MAINTENANCE
DES MOINES, IOWA

REZONING EXHIBIT

REFERENCE NUMBER:

DRAWN BY:
KLE

CHECKED BY:
DBB

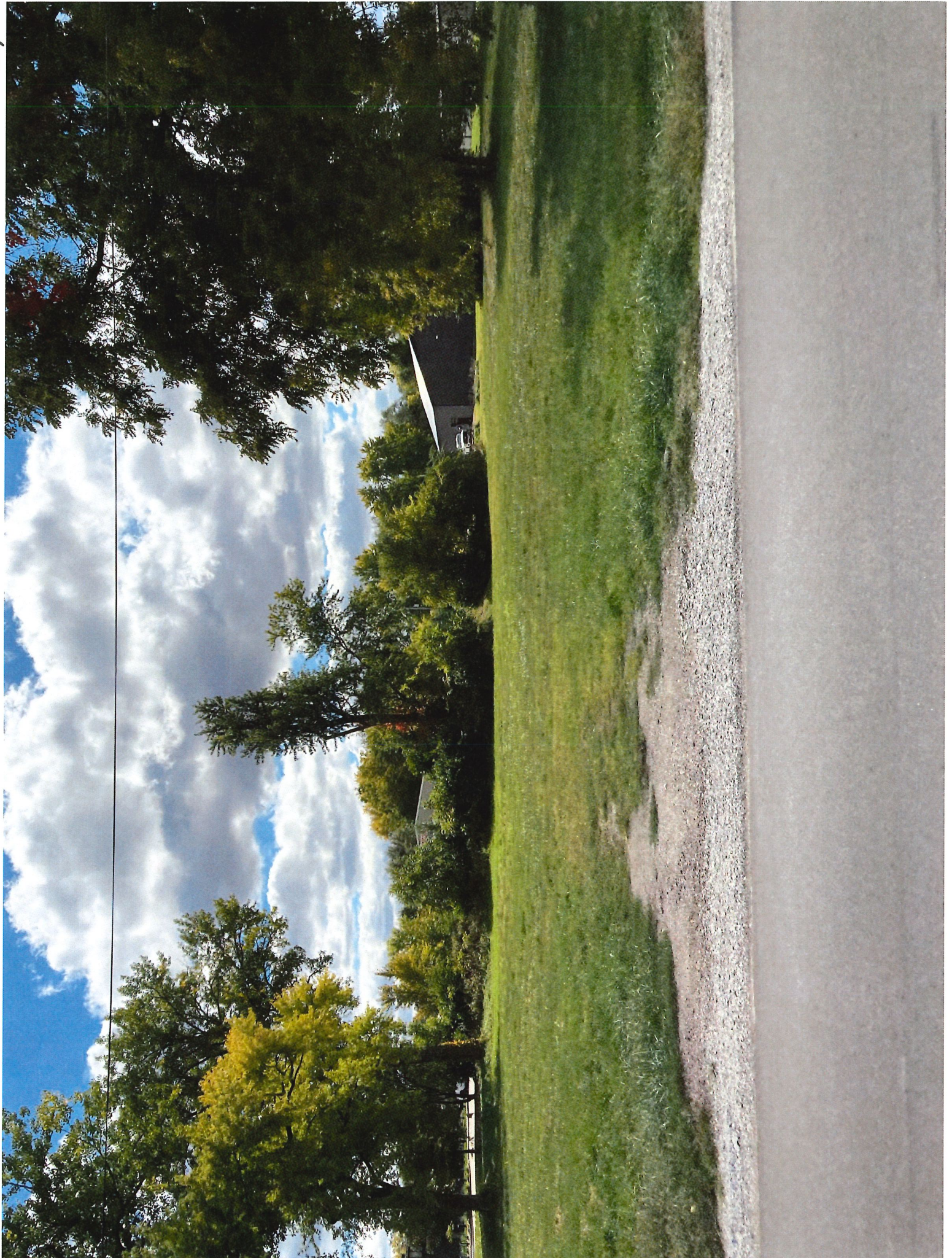
REVISION DATE:

PROJECT NUMBER:
210328

SHEET NUMBER:

1 OF 1

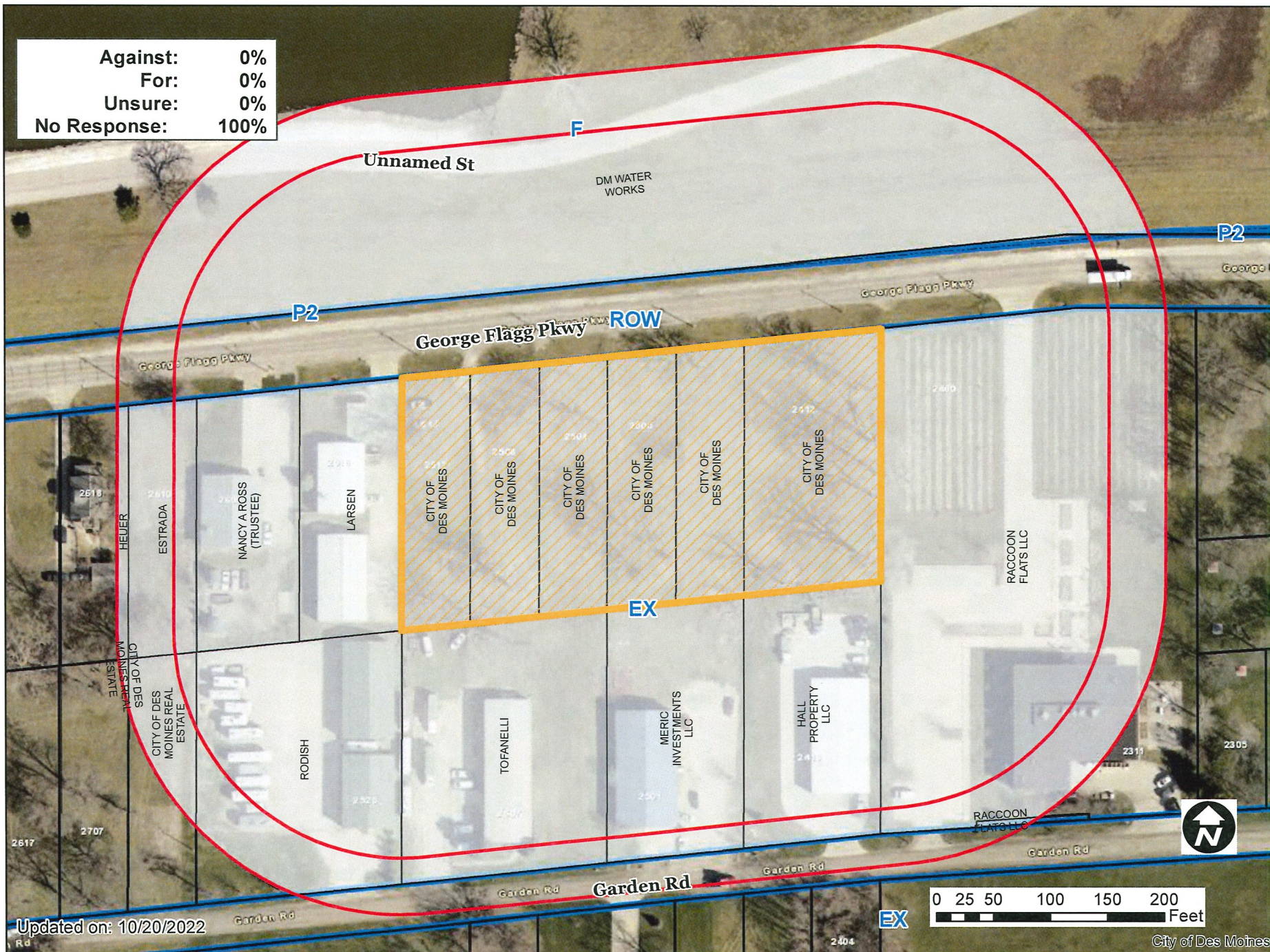
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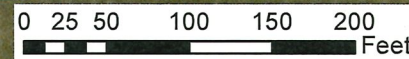




Against:	0%
For:	0%
Unsure:	0%
No Response:	100%



Updated on: 10/20/2022



City of Des Moines

1 inch = 112 feet

Item: ZONG-2022-000091 Date: 10-13-22

Please mark one of the following

- I am in favor of the request
- I am not in favor of the request

Staff Use Only

RECEIVED
COMMUNITY DEVELOPMENT

OCT 17 2022

Signature: [Signature]

Name: George Davis

Address: 3124 SW 29th

Reason for opposing or approving this request may be listed below:

ten? Hills Neighborhood

Favor.

Item: ZONG-2022-000091 Date: 10-12-22

Please mark one of the following

- I am in favor of the request
- I am not in favor of the request

Staff Use Only

RECEIVED
COMMUNITY DEVELOPMENT

OCT 17 2022

Signature: [Signature]

Name: ~~George Davis~~ DANIEL RODRIGUEZ

Address: 2525 Golden Rd.
D.M.

Reason for opposing or approving this request may be listed below:

**NEIGHBORHOOD MEETING FOR REZONING OF
2412-2512 GEORGE FLAGG PARKWAY
(LOTS 11-17 OF VALLEY GARDENS)**

October 5, 2022

3:30 PM

Des Moines Water Works – Board Room
2201 George Flagg Pkwy, Des Moines, Iowa

1. **Introductions & Sign-In**
2. **Project Presentation – Don Staley, Project Manager**
3. **Q&A**

September 28, 2022

«Name»
«StreetAddress»
«CityStateZip»

NOTICE OF NEIGHBORHOOD MEETING FOR REZONING OF
2412-2512 GEORGE FLAGG PARKWAY (LOTS 11-17 OF VALLEY GARDENS)

Dear Property Owner,

Des Moines Water Works will hold a neighborhood meeting to discuss the proposed rezoning of above referenced properties. Rezoning is being requested to allow the property to be developed with a new Grounds Maintenance facility for Des Moines Water Works.

Date: Wednesday, October 5, 2022
Time: 3:30 p.m. A brief presentation will start promptly at 3:30 p.m.
Location: DMWW Board Room – 2201 George Flagg Parkway, Des Moines, Iowa 50321

We look forward to seeing you then. If you have any questions, please contact Don Staley, Project Manager, at 515-323-6218 or staley@dmww.com.

Des Moines Water Works
Engineering Services Department

**Minutes of the
NEIGHBORHOOD MEETING FOR REZONING OF
2412-2512 GEORGE FLAGG PARKWAY
(LOTS 11-17 OF VALLEY GARDENS)**

October 5, 2022

3:30 PM

Des Moines Water Works – Board Room
2201 George Flagg Pkwy, Des Moines, Iowa

1. Introductions & Sign-In

The following people were in attendance:

DMWW Staff: Jessica Barnett, Kyle Danley, Mike McCurnin, Don Staley,
and Michelle Watson

Also in attendance: Mason Groben – Jasper Winery

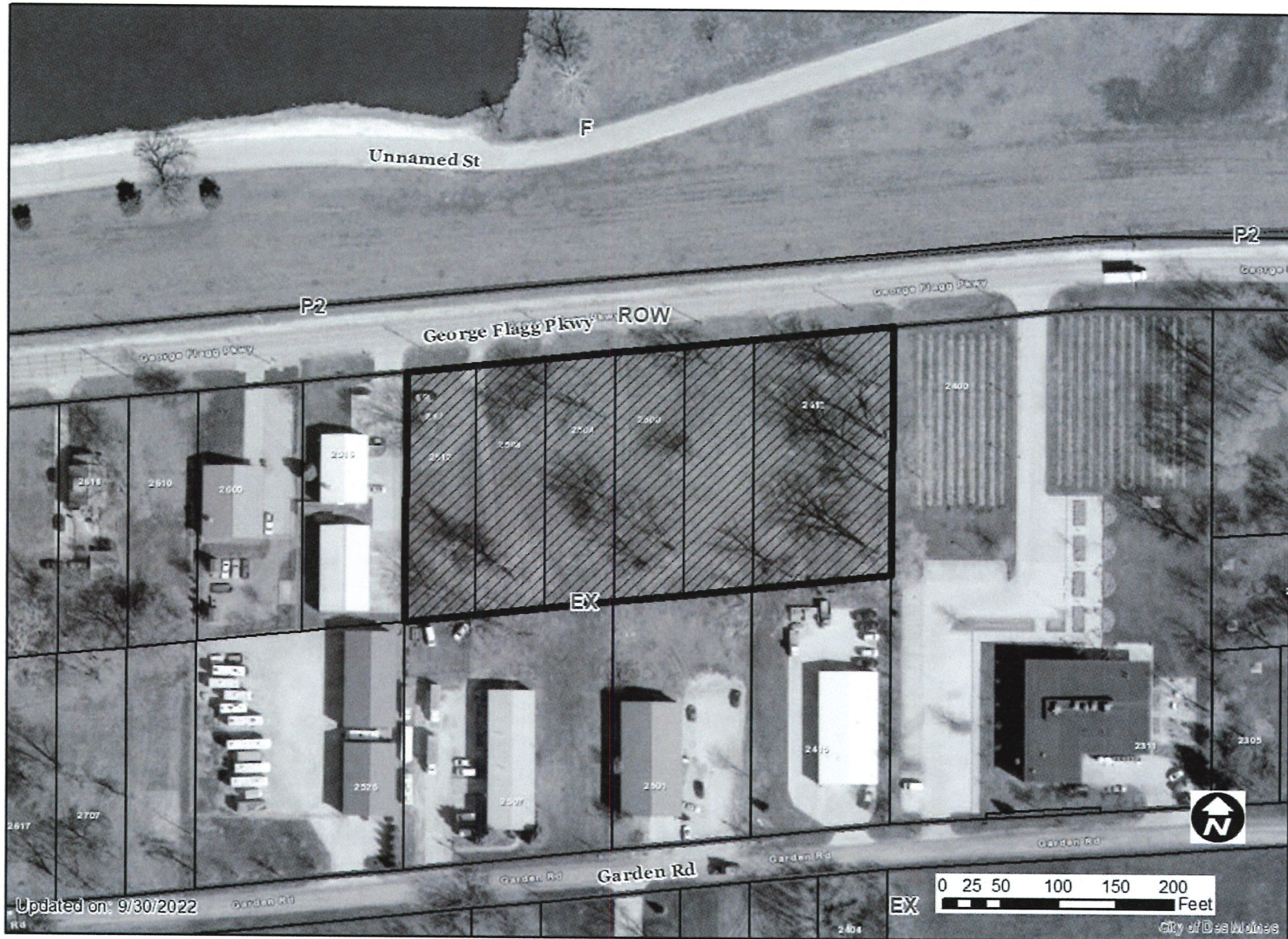
2. Project Presentation – Don Staley, Project Manager

Mr. Staley shared a presentation on DMWW's need for a new location for its Grounds Shop Facility. Flooding is a routine problem in its current location and the sixty-plus year-old structure has suffered damage in most flood events in Water Works Park. The proposed site and landscaping plans and architectural design were shared with those in attendance.

3. Q&A

Mr. Groben, with Jasper Winery, asked about the view of the property from the east, particularly because they hold weddings and other special private events at the winery. The east edge of the property will have a berm with landscaping that will restrict the view of equipment and other materials at the new DMWW Grounds Shop Facility.

The meeting adjourned at 3:55 p.m.



1 inch = 111 feet