



Agenda Item:

63D

COUNCIL COMMUNICATION City Manager's Office

GENERAL INFORMATION

Agenda Date: 5/23/2005
279

Communication No.: 05-

Agenda No.:	Item	Type:	Resolution	Roll	Call
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Submitted by: Larry Hulse, Community Development Director

SUBJECT—

Public hearing regarding City Council initiated request to rezone portions of the “M-2” Heavy Industrial District which are predominantly occupied by uses that do not require “M-2” District zoning from “M-2” Heavy Industrial District to “M-1” Light Industrial District. The subject properties are owned by multiple property owners.

SYNOPSIS—

Staff has determined that 515 of 784 parcels currently zoned “M-2” Heavy Industrial District could be rezoned to the “M-1” Light Industrial District classification without creating any non-conforming uses. Please see “Exhibit A” for a list of these properties. On May 5, 2005 the Plan and Zoning Commission voted 10-0 to recommend approval of the rezoning with the exception of the following two parcels: Map Reference #312 (Copart/Galinsky) and #318 (Des Moines Automotive).

FISCAL IMPACT—

N/A.

RECOMMENDATION—

Hold public hearing and approve the first reading of the proposed rezoning. If the Council proposes to approve final consideration of the rezoning on May 23, 2005 staff recommends that an additional action be taken to cease the existing M-2 Moratorium upon the effective date of the rezoning.

BACKGROUND—

On January 10, 2005 the City Council approved Roll Call No. 05-102 which extended the moratorium on new conditional uses in the “M-2” Heavy Industrial District from January 11, 2005 to July 11, 2005 and initiated a rezoning of portions of the “M-2” Heavy Industrial District which are predominantly occupied by uses which do not require “M-2” District zoning, to a more restrictive zoning district.

Staff has analyzed each of the 784 parcels currently zoned “M-2” Heavy Industrial District to determine whether or not the current use of the parcel requires the “M-2” District classification. Staff utilized Polk County Assessor data, an April 2004 aerial photo, and field surveys to make each determination. Staff did not take the legality of uses into consideration (i.e. current Certificate of Occupancy, valid Conditional Use permit, etc.).

An analysis of the proposed routes of the Southeast and Southwest Connectors revealed that significant portions of these roadways would pass through existing "M-2" Heavy Industrial District areas. An analysis of the metro-wide zoning and future land use maps revealed that the majority of heavy industrial-zoned districts and uses are located within Des Moines' corporate boundaries. The analysis also found that land prices and an abundance of heavy industrial zoned land has resulted in a concentration of salvage yards in the eastern portions of Des Moines.

Based on the analysis of the existing "M-2" Heavy Industrial District boundaries, staff concludes that there is an excessive amount of land zoned “M-2” Heavy Industrial in the City of Des Moines and that 55.8% of the land zoned "M-2" Heavy Industrial District contains uses that do not require the “M-2” Heavy Industrial District classification.

Staff has determined that 515 of 784 parcels currently zoned “M-2” Heavy Industrial District could be rezoned to the “M-1” Light Industrial District classification without creating any non-conforming uses. Please see “Exhibit A” for a list of these properties. This proposal includes 1,478.6 acres (55.8%) of the total 2,650.1 acres currently zoned “M-2” District.

On May 5, 2005 the Plan and Zoning Commission voted 10-0 to recommend approval of the rezoning with the exception of the following two parcels: Map Reference #312 (Copart/Galinsky) and #318 (Des Moines Automotive). A spreadsheet is attached that identifies property owners known to be in opposition to the rezoning as of the May 5, 2005 Plan and Zoning Commission hearing. The spreadsheet also identifies the basis for each objection and the Plan and Zoning Commission and Staff's recommendation.