

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: June 11, 2012
	Agenda Item No. 62 Roll Call No. <u>12-0942</u> Communication No. <u>12-278</u> Submitted by: Phillip Delafield, Community Development Director

AGENDA HEADING:

Review of the May 23, 2012 decision of the Zoning Board of Adjustment to conditionally approve a use variance to allow temporary retention of a commercial business that involves outdoor storage of recreational vehicles at 7500 Bloomfield Road.

SYNOPSIS:

The subject property is zoned Limited "C-2" General Retail and Highway-Oriented Commercial District and "R-5" Mobile Home Residential District, and is owned by F & J Mobile Homes, Inc. (represented by George Jordan), 6901 Southeast 14th Street, Des Moines, Iowa 50320.

On May 23, 2012, the Zoning Board of Adjustment voted 5-2 to approve a use variance to allow temporary use of a property in a Limited "C-2" General Retail and Highway-Oriented Commercial District and an "R-5" Mobile Home Residential District as a commercial business that involves outdoor storage of recreational vehicles, subject to the following conditions:

1. Any use of the property for a commercial business that involves outdoor storage of recreational vehicles shall cease within five (5) years or no later than May 29, 2017.
2. Vehicles shall be stored on crushed asphalt surfaces. All maneuvering aisles shall be hard-surfaced.
3. Provision of a 20-foot wide landscape area along Southridge Boulevard, either on the subject property or within an easement on adjoining DOT right-of-way that is landscaped with at least four overstory trees and eight evergreen trees per 100 lineal feet. (Note: this is the bufferyard requirement contained in the City's Landscape Standards for parking lots over 100,000 square feet in area.)
4. All required landscaping shall be planted by August 31, 2012.
5. Prohibition of any signage.
6. All vehicles stored on the property shall be licensed and operable.
7. All vehicles stored on the property shall be arranged in an orderly manner along paved drive aisles.

8. The Use Variance shall be subject to amendment or revocation if the Zoning Enforcement Officer determines that any condition established in this Decision & Order is violated or determines that the operation of the business becomes a nuisance.

The Decision and Order of the Zoning Board of Adjustment's action was executed under the signature of Chairman Bill Gray on May 29, 2012. Pursuant to Section 135-65 of the City Code, the City Council shall review the Board's decision within 30 days after the decision is filed. After such review, the City Council may remand the decision to the Board for further study. If the City Council declines to remand the decision, that decision shall become final on the date of the City Council's action (June 11, 2012). Staff recommends that the City Council not remand the Board's decision.

FISCAL IMPACT: NONE

Amount: N/A

Funding Source: N/A

ADDITIONAL INFORMATION:

The site is located along Southridge Boulevard (Highway 65/69) on the western portion of a parcel that includes the Hillock Estates Mobile Home Park. The site is located in an area that was previously used for a sewage lagoon serving Hillock Estates before the mobile home park was connected to the City's sanitary sewer system. Fill dirt has since been brought to the site to create a level area for off-street parking and the area has been developed in accordance with a Site Plan (10-07-7.69) for a storage lot limited for use by residents of the adjacent Hillock Estates Mobile Home Park only.

The Use Variance granted by the Zoning Board of Adjustment on May 23, 2012 allows the property owner to lease space within the storage lot to non-residents of the adjacent mobile home. Such use requires "M-1" (Light Industrial) zoning.

On April 9, 2012, by Roll Call 12-0561, the City Council denied a request to rezone the property from Limited "C-2" (General Retail and Highway-Oriented Commercial) and "R-5" (Mobile Home Residential) to Limited "M-1" (Light Industrial) to allow the property to be used as a commercial business that involves outdoor storage of recreational vehicles.

PREVIOUS COUNCIL ACTION(S):

Date: April 9, 2012

Roll Call Number: 12-0561

Action: On request from F & J Mobile Homes to rezone property at 7657 U.S. Highway 69 from Ltd. "C-2" (General Retail and Highway-Oriented Commercial) and "R-5" (Mobile Home Residential) to Ltd. "M-1" (Light Industrial) to allow for outdoor storage of recreational vehicles by the general public. Moved by Meyer to adopt and to DENY the proposed rezoning. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: Zoning Board of Adjustment

Date: May 23, 2012

Resolution Number: ZON2012-00068

Action: Approval of a use variance for a period of 5 years (expiring May 29, 2017) to allow use of a property in a Limited "C-2" General Retail and Highway-Oriented Commercial District and an "R-5" Mobile Home Residential District as a commercial business that involves outdoor storage of recreational vehicles, subject to conditions by a 5-2 vote.

Board: Plan and Zoning Commission

Date: March 1, 2012

Resolution Number: ZON2011-00240

Action: Recommended denial of request for rezoning to "M-1" (Light Industrial) by a 8-2 vote.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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