



Date December 4, 2017

RESOLUTION ON CITY-INITIATED REQUEST TO AMEND THE EXISTING PLANDSM: CREATING OUR TOMORROW PLAN FUTURE LAND USE DESIGNATION (PROPERTY GENERALLY LOCATED WEST OF THE DES MOINES INTERNATIONAL AIRPORT; WEST OF SOUTHWEST 46TH STREET; EAST OF SOUTHWEST 63RD/IOWA HIGHWAY 28; SOUTH OF THORNTON AVENUE; NORTH OF WILLOW CREEK AVENUE)

WHEREAS, on April 25, 2016, by Roll Call No. 16-0717, the City Council adopted the PlanDSM: Creating Our Tomorrow Plan; and

WHEREAS, on November 16, 2017, the City Plan and Zoning Commission held a public hearing regarding a City-initiated request to amend the existing PlanDSM: Creating Our Tomorrow Plan future land use designation from Business Park and Neighborhood Mixed Use to Low Density Residential for property generally located west of the Des Moines International Airport; west of Southwest 46th Street; east of Southwest 63rd/Iowa Highway 28; south of Thornton Avenue; and north of Willow Creek Avenue; and

WHEREAS, following said public hearing, the City Plan and Zoning Commission voted 11-0 in support of a motion to recommend APPROVAL to amend the existing PlanDSM: Creating Our Tomorrow Plan future land use designation from Business Park and Neighborhood Mixed Use to Low Density Residential for that portion of the study area located north of the currently-proposed alignment of the Southwest Connector and west of Southwest 56th Street, excluding the adjoining airport clear zone area, to allow anticipated single-family residential redevelopment.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the proposed amendment to the PlanDSM: Creating Our Tomorrow Plan, as described above, for that portion of the study area located north of the currently-proposed alignment of the Southwest Connector and west of Southwest 56th Street, excluding the adjoining airport clear zone area, is hereby approved / denied.

MOVED by _____ to adopt and APPROVE / DENY the proposed amendment.

FORM APPROVED:

Glenna K. Frank, Assistant City Attorney

(21-2017-4.12)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MOORE, WESTERGAARD, and TOTAL.

MOTION CARRIED APPROVED

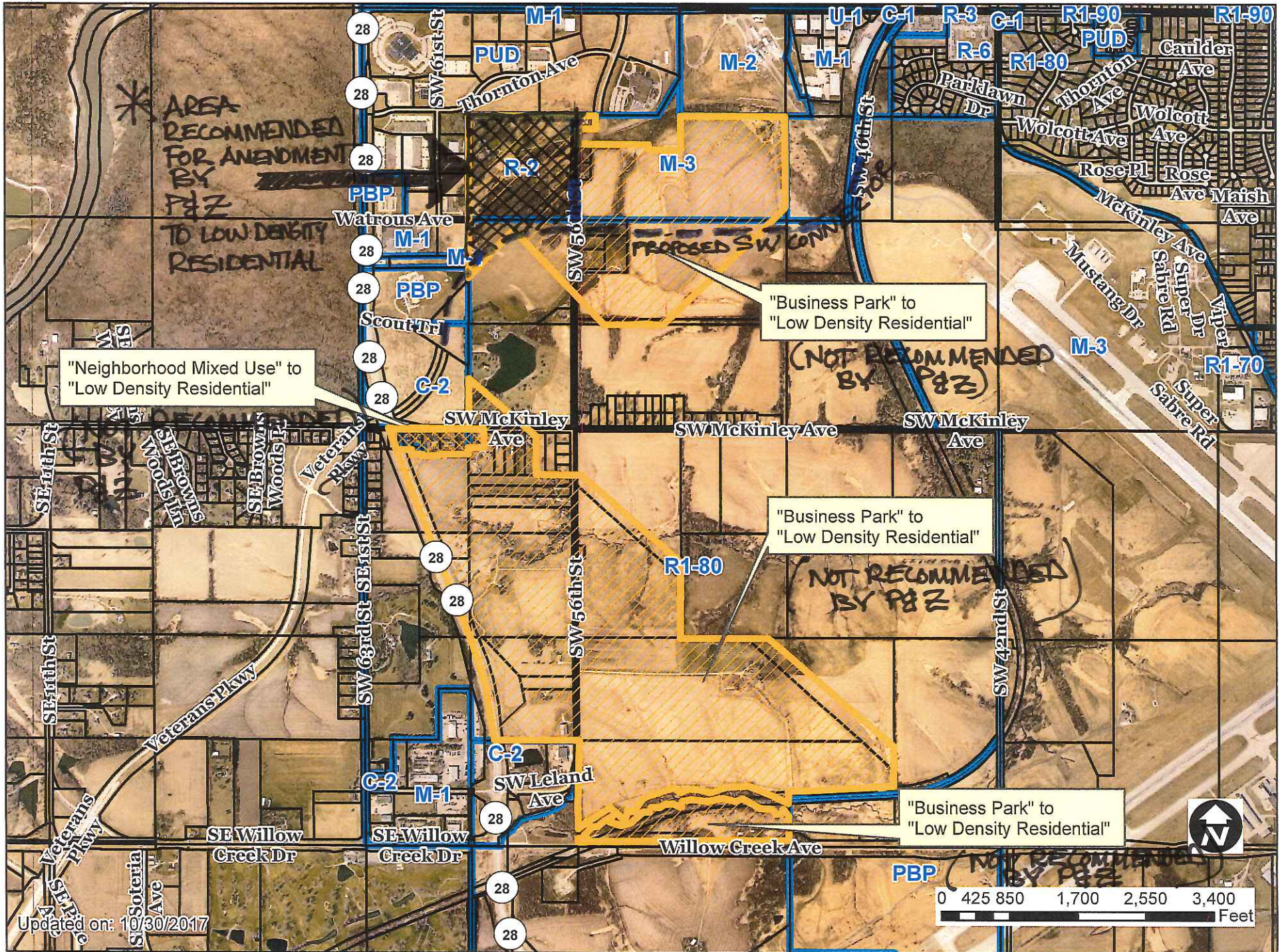
CERTIFICATE

I, DIANE RAUH, 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

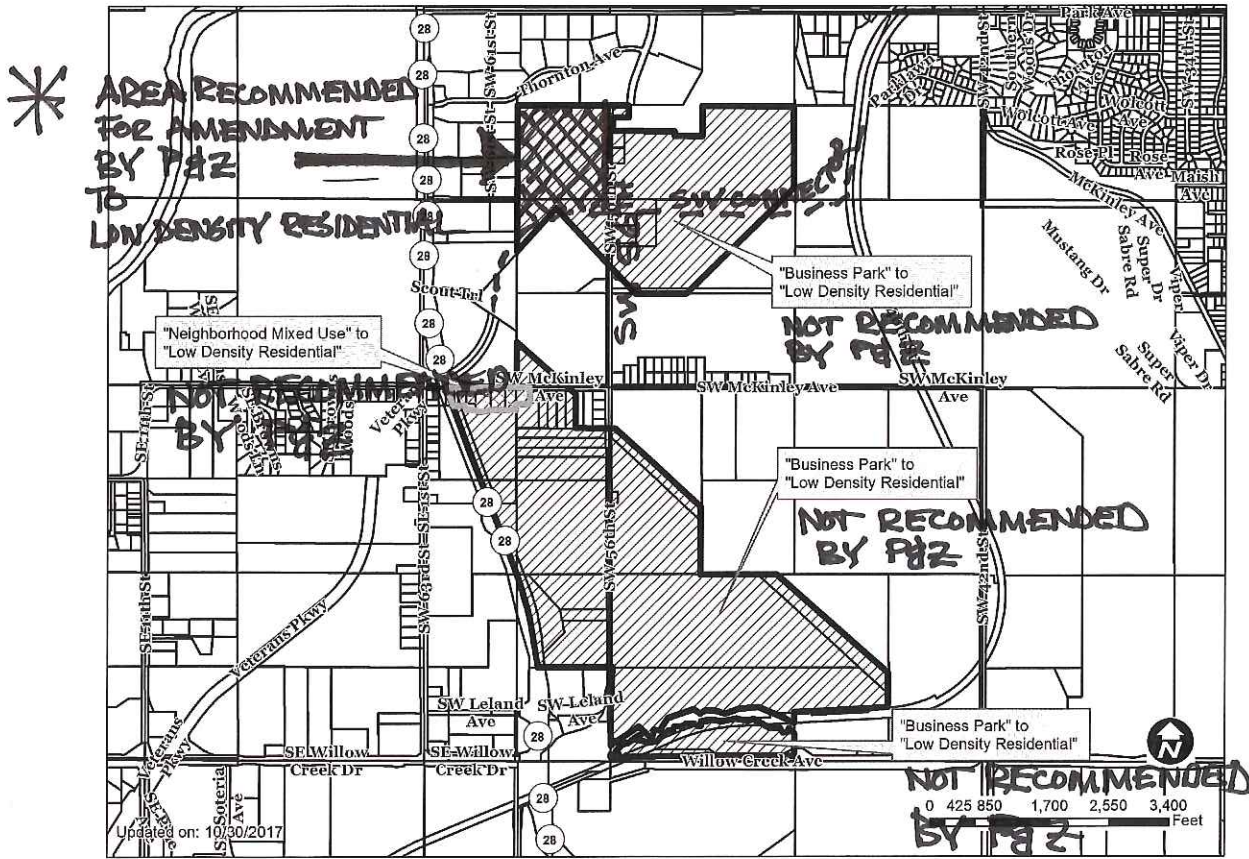


410

City initiated request for property generally located west of the Des Moines International Airport (see map).		File #		
		21-2017-4.12		
Description of Action	Amending the PlanDSM Future Land Use designation from Planned Business Park to Low Density Residential for the portion of the subject property that is located north of the proposed Southwest Connector alignment and west of SW 56 th Street, but excluding any property located within airport clear zones.			
PlanDSM Future Land Use	Current: Business Park and Neighborhood Mixed Use. Proposed: N/A.			
Mobilizing Tomorrow Transportation Plan	Southwest Connector Part II: New roadway extension from Iowa 28 to Park Avenue.			
Current Zoning District	"R1-80" One-Family Residential District, "R-2" Two-Family Residential District, "C-2" General Retail and Highway-Oriented Commercial District, "M-3" Limited Industrial District and "FSO" Freestanding Signs Overlay District.			
Proposed Zoning District	N/A.			
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition
Subject Property				
Outside Area (200 feet)				
Plan and Zoning Commission Action	Approval	12-0	Required 6/7 Vote of the City Council	Yes
	Denial			No
				X

City initiated, Generally north and west of DSM International Airport

21-2017-4.12



1 inch = 1,598 feet



Date _____

Agenda Item 46

Call # _____

November 22, 2017

Honorable Mayor and City Council
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held November 16, 2017, the following action was taken regarding a request from City initiated request to consider amending the PlanDSM Creating Our Tomorrow future land use map designation from Business Park and Neighborhood Mixed Use to Low Density Residential for property generally located west of the Des Moines International Airport; west of Southwest 46th Street; east of Southwest 63rd/Iowa Highway 28; south of Thornton Avenue; and north of Willow Creek Avenue.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 11-0-1 as follows: (Jann Freed arrived at 6:08 pm)

<u>Commission Action:</u>	<u>Yes</u>	<u>Nays</u>	<u>Pass</u>	<u>Absent</u>
Francis Boggus	X			
Dory Briles	X			
JoAnne Corigliano				X
David Courard-Hauri	X			
Jacqueline Easley	X			
Jann Freed	X			
John "Jack" Hilmes			X	
Lisa Howard	X			
Carolyn Jenison	X			
Greg Jones	X			
William Page	X			
Mike Simonson	X			
Rocky Sposato	X			
Steve Wallace				X
Greg Wattier				X

APPROVAL of an amendment to the PlanDSM Future Land Use designation from Planned Business Park to Low Density Residential for the portion of the subject property that is located north of the proposed Southwest Connector alignment and west of SW 56th Street, but excluding any property located within airport clear zones. (21-2017-4.12)

STAFF RECOMMENDATION

Staff recommends denial of the request to amend the PlanDSM: Creating Our Tomorrow Plan future land use designation from Business Park to Low Density Residential for areas north and east of the current planned future parallel runway and adjoining existing business park development north of Southwest McKinley Avenue.

Staff recommends approval of the request to amend the PlanDSM: Creating Our Tomorrow Plan future land use designation from Business Park and Neighborhood Mixed Use to Low Density Residential for the area south of Southwest McKinley Avenue and west of the current planned future parallel runway.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** On October 9, 2017 by Roll Call No. 17-1756, the City Council referred the consideration of area generally west of the Des Moines International Airport to allow for low density residential development. The action referenced initiating rezoning of the property. However, a majority of the property is already zoned “R1-80”, “R-2”, and “C-2”, which would already allow for low density residential development if the future land use plan would be designated as such. A portion of the property under consideration based on the Council’s action is zoned “M-3” Limited Industrial District. Rezoning is not being recommended to be initiated for this property as is it owned by an existing industrial user, Monarch Cement Company. Therefore, based on the City Council’s intentions, staff is reviewing the subject area to amend the PlanDSM future land use designation to allow for low density residential development.
2. **Size of Site:** Approximately 560 acres.
3. **Existing Zoning (site):** “R1-80” One-Family Residential District, “R-2” One- and Two-Family Residential District, “M-3” Limited Industrial District, “C-2” General Retail and Highway-Oriented Commercial District and “FSO” Freestanding Sign Overlay District.
4. **Existing Land Uses:** Vacant land used primarily for agriculture and single-family dwellings.
5. **Adjacent Land Use and Zoning:**
 - East** - “M-3” & “M-1”; Uses are primarily vacant land and developed airport property.
 - West** – Airport Commerce Park West “PUD”, “PBP”, “M-1”, “C-2” & “R1-80”, Uses are light industrial, office and vacant land.
 - North** - Airport Commerce Park West “PUD” & “M-2”; Uses are light industrial, office vacant timber and agricultural land, and the Monarch Cement Company plant.

South - "R1-80"; Uses are undeveloped timber and agricultural land, Des Moines Water Works aquifer storage pump station, the Great Western Trail, single-family dwellings and developed airport property.

6. **General Neighborhood/Area Land Uses:** The subject property is located in an area adjacent to the Des Moines International Airport that contains light industrial and large office uses, undeveloped land and some large-lot single-family dwellings.
7. **Applicable Recognized Neighborhood(s):** The subject property is located within the Southwestern Hills Neighborhood. All neighborhood associations were notified of the meeting by mailing of the Preliminary Agenda on October 27, 2017. Notices were mailed on November 6, 2017 to property owners within the area and within 250 feet surrounding the area. A Final Agenda for the meeting was mailed to all the recognized neighborhood associations on November 9, 2017. In addition, a notice of public hearing was published in the Des Moines Register on November 6, 2017

All agendas are mailed to the primary contact designated by the recognized neighborhood association to the City of Des Moines Neighborhood Development Division. The Southwestern Hills Neighborhood Association mailings were sent to George Davis, 3124 SW 29th Street, Des Moines, IA 50321.

8. **Relevant Zoning History:** None.

9. **PlanDSM Land Use Plan Designation:** The subject property is designated as "Business Park" and "Neighborhood Mixed Use" on the Future Land Use Map.

The City's Comprehensive Plan, PlanDSM: Creating Our Tomorrow, describes the "Business Park" designation as follows:

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.

It describes the "Neighborhood Mixed Use" designation as follows:

Small scale mixed use development typically located at the intersections of collector and/or arterial streets and along transportation corridors. Non-residential development is designed to serve the immediate neighborhood and include small retail, offices, restaurants, and service oriented development. Low-medium density residential may be included in mixed use development.

10. **Applicable Regulations:** In consideration of the criteria set forth in Chapter 18B of the Iowa Code and the applicable regulations in Chapter 82 Article III of the City Code, before adopting the Comprehensive Plan or any part of it or any substantial amendment thereof, the Plan and Zoning commission shall hold at least one public hearing thereon, notice of the time of which shall be given by one publication in a newspaper of general circulation in the city, not less than four days nor more than 20 days before the date of the hearing. The adoption of the Plan or part or amendment thereof shall be by motion of the Commission carried by the affirmative vote of not less than two-thirds of the

members of the Commission. After adoption of such Plan or amendment by the Commission, a copy of the Plan or amendment, together with the report and recommendation of the Commission, shall be forwarded to the City Council, and the Council may approve the Plan or amendment. When such Plan or any modification or amendment thereof shall receive the approval of the Council, the Plan until subsequently modified or amended shall constitute the official City Plan.

When the Comprehensive Plan has been adopted as provided in this article, no substantial amendment or modification thereof shall be made without such proposed change being first referred to the Plan and Zoning Commission for its recommendation. If the Commission disapproves the proposed change, it may be adopted by the City Council only by the affirmative vote of at least six-sevenths of all the membership of the Council.

II. ADDITIONAL APPLICABLE INFORMATION

- 1. PlanDSM Creating Our Tomorrow:** The PlanDSM Comprehensive Plan includes the following applicable goals:

Land Use Goal 1

Develop new land development regulations consistent with this Comprehensive Plan, include development standards, provide for a mixture of land uses, mandate protection of natural resources, and promote flexible approaches to implementing the Plan.

LU3: Ensure new zoning and land use regulations promote development and redevelopment that is compatible with the neighborhood character and reduces negative impacts between incompatible uses.

Land Use Goal 2

Direct new growth and redevelopment to areas with existing infrastructure and nodes and corridors based on proximity to transit, shopping, services, and public amenities.

LU15: Prioritize development and redevelopment in areas with existing infrastructure and properties included in adopted Urban Renewal Plans.

Land Use Goal 4

Continue to embrace the distinct character of Des Moines' neighborhoods while allowing for new development and redevelopment.

LU23: Require new development and redevelopment, to be compatible with the existing neighborhood character.

Land Use Goal 7

Maintain the existing industrial designated areas to provide appropriate locations for

industrial use.

LU37: Restrict expansion of existing or development of new non-industrial uses within industrially designated areas.

LU38: Capitalize on the City's locational strengths geographically and as a hub in the regional transportation network including, but not limited to, development of a transload facility and expansion of the Des Moines International Airport.

Transportation Goal 1

Develop a complete multi-modal transportation network for pedestrians, bikes, transit, and automobiles.

T1: Prioritize the funding and development of a Transportation Master Plan for the City.

Transportation Goal 7

Ensure the Des Moines International Airport continues to meet the needs of the local economy.

T39: Continue working with the Des Moines International Airport regarding airport/land use compatibility areas considering the recommendations of the Iowa Airport Land Use Guidebook.

Housing Goal 2

Preserve, maintain, and improve the existing inventory of single-family and multi-family housing.

H6: Maintain sufficient residentially designated land to accommodate growth over the life of PlanDSM.

Economic Development Goal 2

Focus economic development efforts in strategic locations for continued vitality and growth.

ED8: Support industrial growth and expansion.

ED9: Identify infrastructure, transportation, and connectivity needs in strategic areas and work with the appropriate agencies to serve the needs of existing development and ensure availability for new development.

Social Equity Goal 2

Ensure that all residents have convenient access to healthy food, health care, safe environments, and choices for an active lifestyle.

SE 9: Ensure healthy, safe, and sanitary housing for all residents.

SE 10: Prohibit new residential development in vulnerable areas, such as floodplains.

- 2. Staff Rationale:** There are future plans for the airport and the transportation network that should be considered by the City. Specifically, future plans for parallel runway expansion of the airport and the Southwest Connector preferred alignment which is in the Mobilizing Tomorrow Regional Transportation Plan.

At present, the Des Moines International Airport Master Plan is reflected in the PlanDSM future land use map designated as "Airport" and "Development Control Zone". While there are some proposed revisions to the Airport Master Plan, they are not approved and the City should continue operating under the current plan. Amending the future land use to a residential designation for parcels in close proximity to the "Development Control Zone" designated areas at the ends of the proposed runway would not be compliant with the Land Use Policies 3, Transportation Policy 39, and Social Equity Policies 9 and 10, which are to ensure healthy and safe housing and prohibit new residential development in vulnerable areas.

In accordance with Transportation Goal 1 Policy T1 the City is in the process of creating a Transportation Master Plan and the preferred alignment for the Southwest Connector is still being evaluated. Areas for low density residential development are proposed under this request that would be sandwiched between a future major arterial and an existing business park development. Also this development may interfere with an adjustment to the alignment. Staff believes that such intervening development would also not be compliant with Land Use Policy 3 and Social Equity Policies 9 and 10 of PlanDSM.

Land Use Goal 7 and Economic Development Goal 2 seek to maintain existing industrial designated areas and focus industrial development and growth in these areas. Staff believes that areas adjoining the existing planned business park development would not be compliant with those goals. There is an existing business park to the west and north of the areas in question. The Des Moines International Airport is nearby to the east. The land between this area and the airport is generally undeveloped and designated as "Business Park" on the Future Land Use Map. The subject property does not adjoin any land that is designated for residential use on the Future Land Use Map. Staff believes that land in this area should be reserved to facilitate long term needs for business park growth. It is anticipated that this area will be rezoned to a business park or light industrial type zoning district once the new zoning ordinance has been adopted. It also would not be compliant with Economic Development Policy 8.

In furtherance of Housing Goal 2 Policy H6, there are areas under this evaluation that staff believes could be considered for "Low Density Residential" future land use designation. Specifically, staff believes that the areas south of Southwest McKinley Avenue and west of

the future parallel runway for the airport should be considered. Staff does not believe that low density residential development in this area would interfere with future transportation or airport planning, would be negatively impacted with regard to health and safety, or impede the extension and growth of existing developed business park areas. This is provided that housing development is designed to address Federal Aviation Administration noise contours and height/hazard requirements of the Airport Zoning Ordinance.

SUMMARY OF DISCUSSION

Jason Van Essen presented the staff report and recommendation.

Mike Ludwig added he had a discussion with the owner of Wittern properties, which is East of SW 56th Street. They indicated opposition to a residential designation for their property as they plan for business use on their property.

Will Page asked about the action City Council had taken in October.

Mike Ludwig stated City Council had initiated a request for review and staff recommendation after being approached by representatives from Southwestern Hills Neighborhood Association and residents south of McKinley Avenue.

CHAIRPERSON OPENED THE PUBLIC HEARING

Jerry Green 5200 Park Avenue stated they would like the property Monarch Cement owns to stay a Business Park and are opposed to low density residential development in this area.

Mark Lee 3117 115th on behalf of Wittern Properties stated he has concerns about change in the land use and doesn't believe the compatibility is there for low density residential. They would feel better if staff took more time to look at the area and possibly consider a PUD concepts as well.

George Davis 3124 SW. 29th stated a few years ago they were interested in developing the Toon property located off Park Avenue. After a tour with staff, discussions were made about residential development on the Toon Property and all surrounding properties. Southwestern Hills Neighborhood is in support of housing on the Toon property only at this time.

Greg Jones asked where does the Toon property fit into the map?

Mike Ludwig stated it's on the northwest corner of the cross-hatched area on the map.

Greg Jones stated the City has a brand-new land use map and to be fair we need to look at the big picture and how it all fits together, rather than trying to piece it out.

George Davis stated the plans could be tweaked in the future. We also need to listen to the concerns from the neighborhoods and possibly tweak the plans for them as well.

Mike Knapp 5935 SW. McKinley stated if they were to carve out a portion of land for residential development, north of the proposed Southwest Connector would make the most sense. He feels it would be too much commercial or business use in the Des Moines area if all this land was developed and rezoned for that type of use.

Chris Thompson 475 S. 50th stated it would be difficult to turn all this land into a business park, due to the number of trees and rolling hills in this area.

Dan Kruse 4215 SW 33rd stated he currently has the Toon property under contract for a 90-day due diligence to see if they can get it rezoned for residential use. This property has 40 acres of trees and a lot of rolling hills. With the amount of grading and tree removal that will need to be done, commercial development doesn't make sense. Looking at this property as a developer, he could have the opportunity to turn this into some high-end lots, while keeping all the 60+ year old oak trees we can. We encourage staff to go out, look at the area and see why this piece of land doesn't make sense for business use.

Mike Ludwig stated the concept sketch for residential development shows two streets going through all the trees.

Dan Kruse stated that is just a proposal because of the location of the new sewer line and the 50-foot easement they must abide by. They haven't hit the engineering stages of the development yet but would like to move the streets into the clear area and relocate the sewer line if possible.

Nick Van Patten 6020 SW. McKinley stated Des Moines needs more high end homes and the Toon property fits well for those. With the number of trees and the views you get from it being one of the highest points in Des Moines, people will pay the money for the location.

CHAIRPERSON CLOSED THE PUBLIC HEARING

Greg Jones stated if we don't consider other plans that have been done, we would be derelict in our duties. Until someone tell us the South West Connector isn't going in or the airport runways will not be shortened, we need to assume these things are going to happen and plan accordingly.

Will Page asked if the commission should debate or act on this item.

Greg Jones stated we should make a recommendation to send back to City Council.

COMMISSION ACTION:

Greg Jones moved approval of an amendment to the PlanDSM Future Land Use designation from Planned Business Park to Low Density Residential for the portion of the subject property that is located north of the proposed Southwest Connector alignment and west of SW 56th Street, but excluding any property located within airport clear zones.

Motion carried 11-0-1 (John "Jack Hilmes recused)

Respectfully submitted,

46



Michael Ludwig, AICP
Planning Administrator

MGL:tjh
Attachment