

**CITY OF WEST DES MOINES  
PLAN AND ZONING COMMISSION COMMUNICATION**

**Meeting Date:** April 11, 2016

**Item:** Fox Valley, Generally the area south of SE Adams Street and west of SE Orilla Road – Amend Comprehensive Plan Land Use Map to change approximately 1.2 acres from Single Family Residential (SF) to Medium Density Residential (MD) and 10.3 acres from Medium Density Residential (MD) to Single Family Residential (SF) and designate the same 1.2 acres from Single Family Residential (R-1) to Medium Density Residential (RM-12) zoning and the same 10.3 acres from Medium Density Residential (RM-12) to Single Family Residential (R-1) consistent with the Comprehensive Plan Land Use designation - Charles I. & Ruth Colby National Development Trust - ZC-002969-2016/CPA 004026-2016

**Requested Action:** Approval of Comprehensive Plan Land Use Map Amendment and Rezoning

**Case Advisor:** Brian S. Portz, AICP 

**Applicant's Request:** The applicant, Charles I. & Ruth Colby National Development Trust, is requesting approval of both a Comprehensive Plan Land Use Amendment and Rezoning for property located in the area south of SE Adams Street and west of SE Orilla Road. The applicant is requesting to change approximately 1.2 acres from Single Family Residential (SF) to Medium Density Residential (MD) and 10.3 acres from Medium Density Residential (MD) to Single Family Residential (SF).

Upon changing the Comprehensive Plan Land Use designations on the property, the applicant is then requesting to designate the same 1.2 acres from Single Family Residential (R-1) to Medium Density Residential (RM-12) zoning and the same 10.3 acres from Medium Density Residential (RM-12) to Single Family Residential (R-1) consistent with the Comprehensive Plan Land Use designation.

**History:** The property was annexed into the City as a part of the Orilla Road annexation. The property has not been previously platted.

**City Council Subcommittee:** This item was presented to the Development and Planning City Council Subcommittee on March 21, 2016. Councilmembers had no comments and expressed no disagreement with the proposal.

**Staff Review and Comment:** This request was distributed to various City departments and outside agencies for their review and comment. There are no outstanding issues.

**Comprehensive Plan Consistency:** The project has been reviewed for consistency with the Comprehensive Plan. Based upon that review, a finding has been made that the proposed project is consistent with the Comprehensive Plan in that the project is consistent with all of the goals and policies of the Comprehensive Plan and the land use map of the Comprehensive Plan.

**Noticing Information:** This request was originally scheduled for the March 28, 2016, Plan & Zoning Commission meeting and April 4, 2016 City Council meeting. The original notice was published in the Des Moines Register on March 18, 2016 and notice of the public hearings was mailed to surrounding property owners on March 15, 2016. It was discovered that the original public notice had incorrect information regarding the proposed zoning changes. The public hearing on this item scheduled for the March 28<sup>th</sup> Plan & Zoning Commission meeting was continued until April 11, 2016 to allow for a re-notice of the request.

On April 1, 2016, notice for the April 11, 2016, Plan and Zoning Commission and April 18, 2016, City Council Public Hearings on this project was re-published in the Des Moines Register. Notice of these public hearings was also mailed to all surrounding property owners within 370 feet of the subject property on March 29, 2016.

**Staff Recommendation And Conditions Of Approval:** Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, Staff recommends the Plan and Zoning Commission adopt a resolution to approve the Comprehensive Plan Land Use Map amendment for approximately 1.2 acres from Single Family Residential (SF) to Medium Density Residential (MD) and 10.3 acres from Medium Density Residential (MD) to Single Family Residential (SF); and approve the rezoning request to amend the Zoning Map to designate the same 1.2 acres from Single Family Residential (R-1) to Medium Density Residential (RM-12) zoning and the same 10.3 acres from Medium Density Residential (RM-12) to Single Family Residential (R-1) consistent with the Comprehensive Plan Land Use designation, subject to the applicant meeting all City Code requirements.

**Property Owner/Applicant:** Charles I. & Ruth Colby National Development Trust  
6581 University Avenue  
Windsor Heights, IA 50311  
Attn: Theresa Greenfield  
[theresa@colbyinterests.com](mailto:theresa@colbyinterests.com)

**Applicant's Representatives:** Civil Engineering Consultants  
2400 86<sup>th</sup> Street, Suite 12  
Des Moines, IA 50322  
Attn: Ed Arp  
[arp@ceclac.com](mailto:arp@ceclac.com)

**ATTACHMENTS:**

- Attachment A - Plan and Zoning Commission Resolution – Comprehensive Plan Amendment
- Attachment B - Plan and Zoning Commission Resolution – Rezoning
- Exhibit A - Conditions of Approval
- Attachment C - Location Map
- Attachment D - Current Zoning Map
- Attachment E - Comprehensive Plan Map
- Attachment F - Comprehensive Plan Land Use Map Amendment Sketch
- Attachment G - Rezoning Sketch

RESOLUTION NO. PZC

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE AN AMENDMENT TO THE COMPREHENSIVE PLAN LAND USE MAP FOR 1.2 ACRES FROM SINGLE FAMILY RESIDENTIAL (SF) TO MEDIUM DENSITY RESIDENTIAL (MD) AND 10.3 ACRES FROM MEDIUM DENSITY RESIDENTIAL (MD) TO SINGLE FAMILY RESIDENTIAL (SF)

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Charles I. & Ruth Colby National Development Trust, has requested an amendment to the Comprehensive Plan Land Use Map (CPA-003026-2016) to change the land use designation of approximately 1.2 acres from Single Family Residential (SF) to Medium Density Residential (MD) and 10.3 acres from Medium Density Residential (MD) to Single Family Residential (SF) and located as identified on Attachment F;

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

WHEREAS, on April 11, 2016, this Commission held a duly-noticed hearing to consider the application for Comprehensive Plan Amendment (CPA-003026-2016);

NOW, THEREFORE, THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The request for a change in the land use designation from Single Family Residential (SF) to Medium Density Residential (MD) for approximately 1.2 acres and Medium Density Residential (MD) to Single Family Residential (SF) for approximately 10.3 acres in the area south of SE Adams Street and west of SE Orilla Road, is recommended to the City Council for approval.

PASSED AND ADOPTED on April 11, 2016.

Craig Erickson, Chairperson  
Plan and Zoning Commission

ATTEST:

Recording Secretary

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Plan and Zoning Commission of the City of West Des Moines, Iowa, at a regular meeting held on April 11, 2016, by the following vote:

- AYES:
- NAYS:
- ABSTENTIONS:
- ABSENT:

ATTEST:

Recording Secretary

**RESOLUTION NO. PZC**

**A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE THE REZONING REQUEST (ZC-002969-2016) FOR THE PURPOSE OF CONSISTENCY ZONING 11.5 ACRES OF PROPERTY LOCATED GENERALLY IN THE AREA SOUTH OF SE ADAMS STREET AND WEST OF SE ORILLA ROAD**

**WHEREAS**, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Charles I. & Ruth Colby National Development Trust, has requested approval of a Rezoning Request for that property located in the area south of SE Adams Street and west of SE Orilla Road to amend the Zoning Map and designate 1.2 acres from Single Family Residential (R-1) to Medium Density Residential (RM-12) zoning and 10.3 acres from Medium Density Residential (RM-12) to Single Family Residential (R-1) zoning;

**WHEREAS**, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

**WHEREAS**, on April 11, 2016, this Commission held a duly-noticed hearing to consider the application for the Rezoning Request (ZC-002969-2016);

**NOW, THEREFORE, THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:**

**SECTION 1.** The findings, for approval, in the staff report, dated April 11, 2016, or as amended orally at the Plan and Zoning Commission hearing of April 11, 2016, are adopted.

**SECTION 2.** REZONING REQUEST (ZC-002969-2016) to designate 1.2 acres from Single Family Residential (R-1) to Medium Density Residential (RM-12) zoning and 10.3 acres from Medium Density Residential (RM-12) to Single Family Residential (R-1) zoning is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report, dated April 11, 2016, including conditions added at the Hearing, and attached hereto as Exhibit "A", if any. Violation of any such conditions shall be grounds for revocation of the permit, as well as any other remedy which is available to the City.

**PASSED AND ADOPTED** on April 11, 2016.

\_\_\_\_\_  
Craig Erickson, Chairperson  
Plan and Zoning Commission

ATTEST:

\_\_\_\_\_  
Recording Secretary

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Plan and Zoning Commission of the City of West Des Moines, Iowa, at a regular meeting held on April 11, 2016, by the following vote:

AYES:  
NAYS:  
ABSTENTIONS:  
ABSENT:

ATTEST:

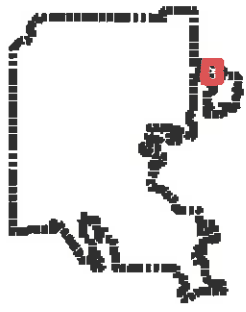
\_\_\_\_\_  
Recording Secretary

**EXHIBIT A**  
**Conditions of Approval**

**No Conditions of Approval**

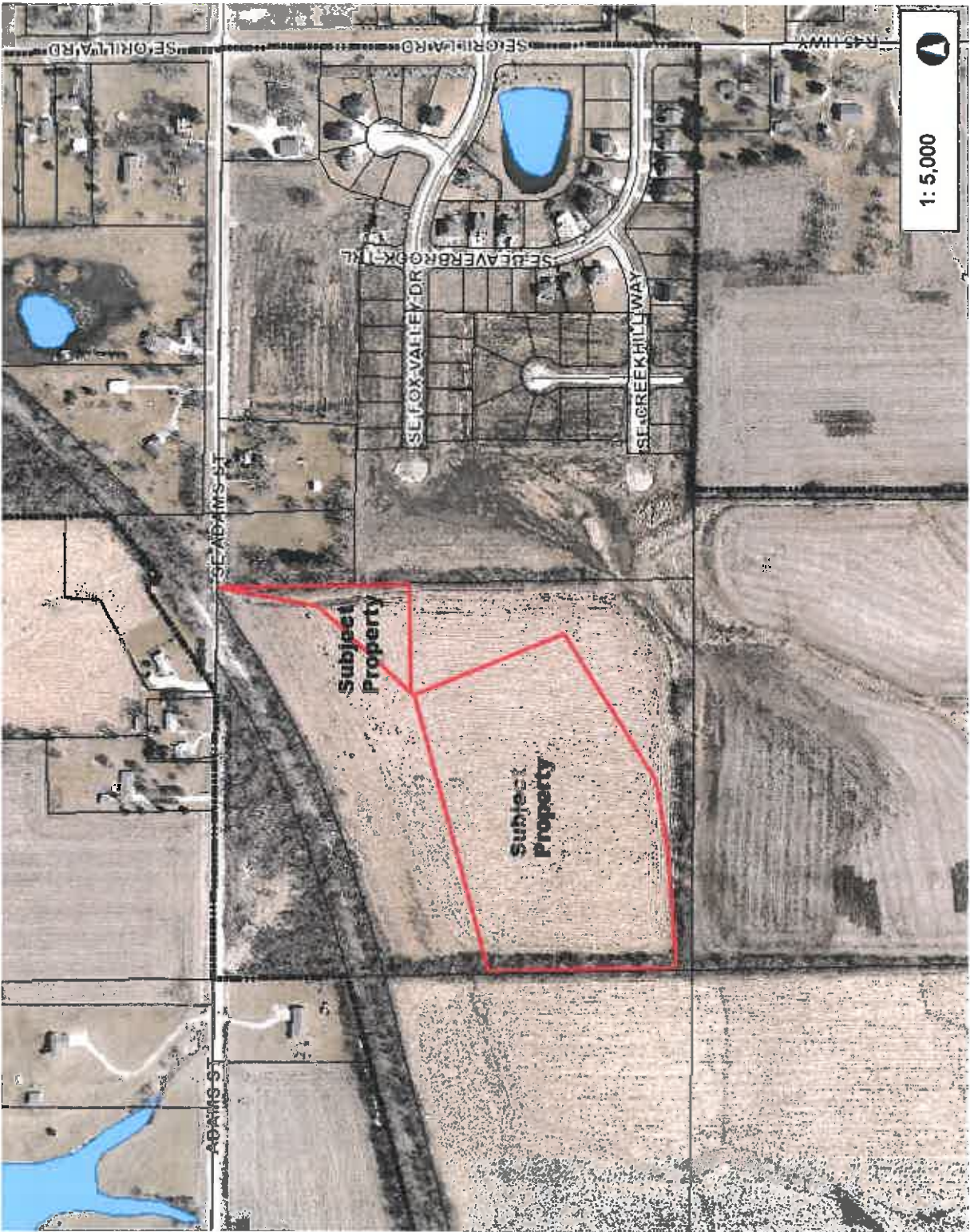


# Location Map



### Legend

-  Parcels
-  Parks
-  Greenways



1: 5,000

Disclaimer: The City of West Des Moines makes no warranties regarding the accuracy or completeness of the data provided herein.

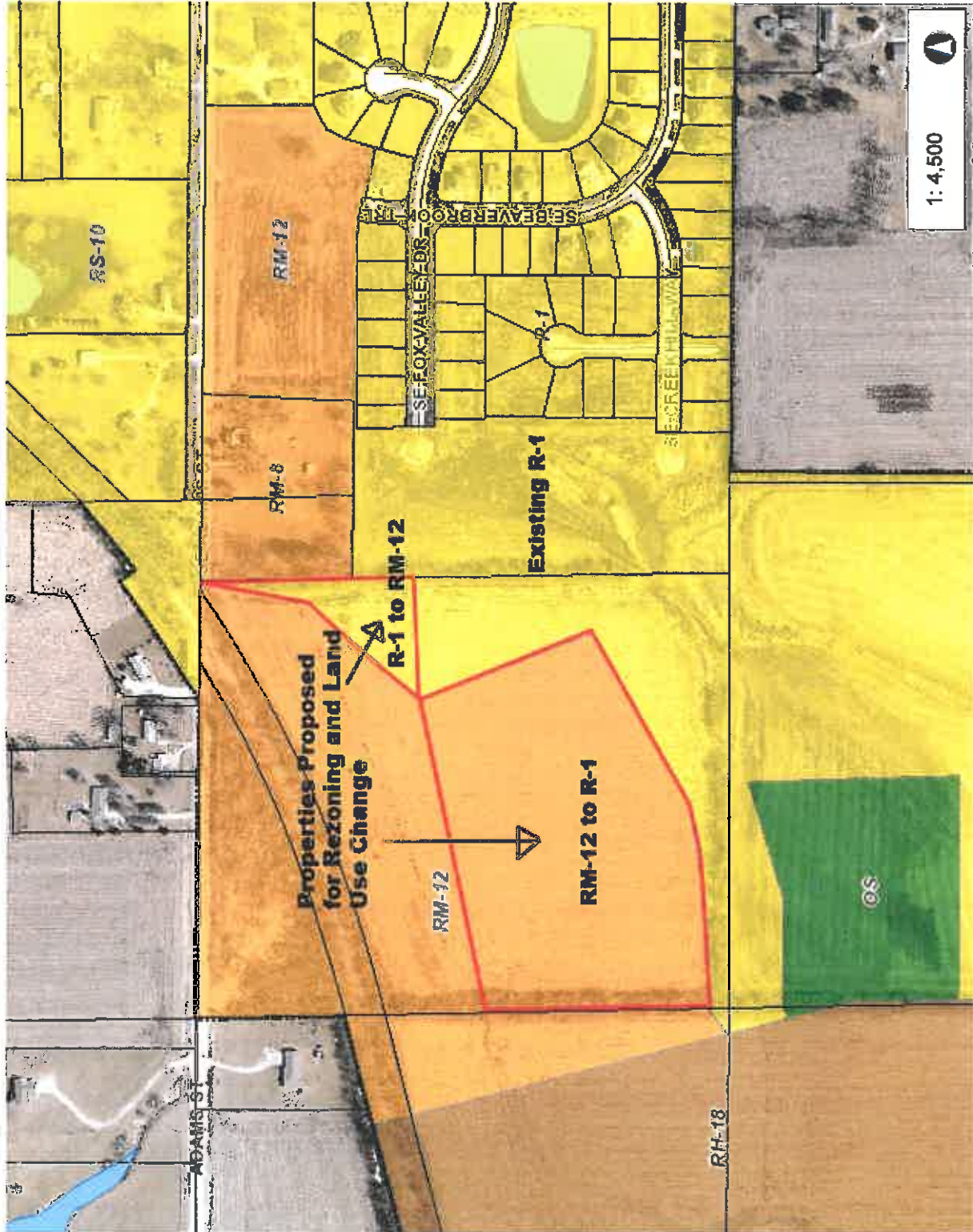
**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

833.3  418.67 833.3 Feet

NAD\_1983\_StatePlane\_Iowa\_South\_FIPS\_1402\_Feet  
 © City of West Des Moines, Iowa



# Zoning Map

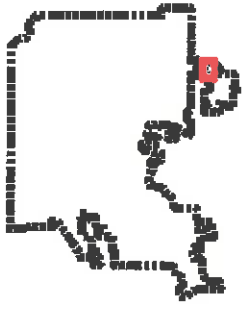


750.0 0 375.00 750.0 Feet

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© City of West Des Moines, Iowa

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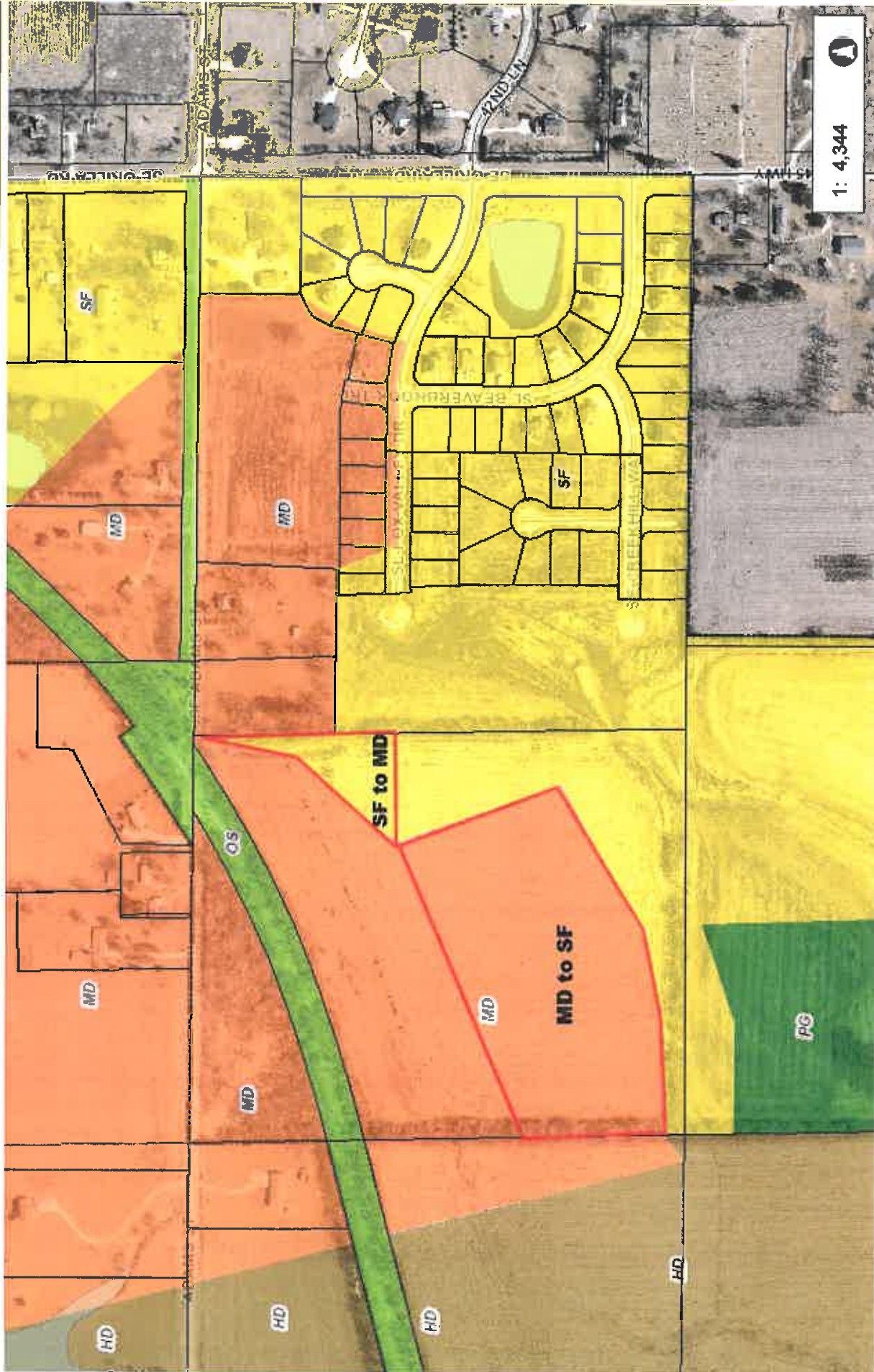
**THIS MAP IS NOT TO BE USED FOR NAVIGATION**



Legend	
	Parcels
	Zoning Area Labels
	Town Center Overlay District
	Zoning Conditional Zones
	Zoning PUD Boundaries
<b>Zoning</b>	
	Unzoned
	Open Space/Agricultural (OS)
	Residential Estate (RE)
	Residential Single-Family (RS)
	Single-Family Residential (R-1)
	Single-Family - Commerce Reader
	Single-Family - Valley Junction Res
	Manufactured Housing (MH)
	Residential Medium-Density (RM)
	Residential High-Density (RH)
	Neighborhood Commercial (NC)
	Convenience Commercial (CVC)
	Valley Junction Historic Business (VJH)
	Valley Junction Commercial (VJC)
	Community Commercial (CMC)
	Support Commercial (SC)
	Regional Commercial (RC)
	Office (OF)
	Professional Commerce Park (PCP)
	Warehouse Retail (WR)
	Business Park (BP)
	Valley Junction Light Industrial (VJLI)
	Light Industrial (LI)
	General Industrial (GI)
	PUD - Open Space



# Comprehensive Plan Amendment



1: 4,344

723.9 Feet

361.97

0

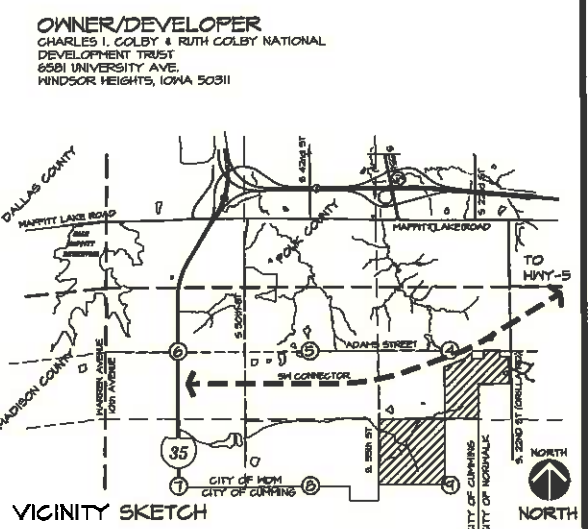
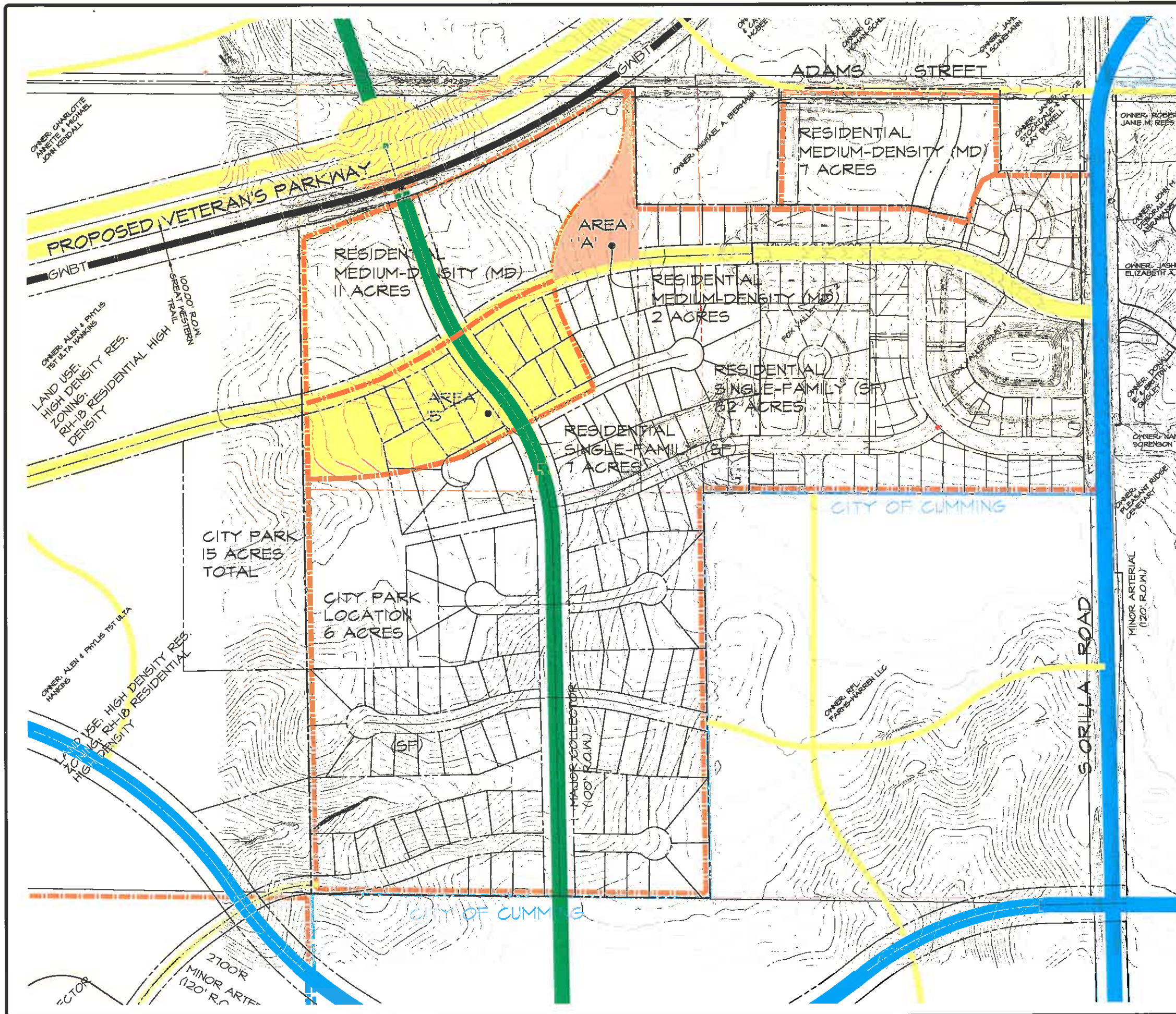
723.9

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

NAD\_1983\_StatePlane\_Iowa\_South\_FIPS\_1402\_Feet  
© City of West Des Moines, Iowa





**COMPREHENSIVE PLAN**  
 EXISTING: MEDIUM DENSITY RESIDENTIAL (MD)  
 SINGLE FAMILY RESIDENTIAL (SF)

EXISTING / PROPOSED

AREA A = (SF) RESIDENTIAL SINGLE FAMILY / (MD) RESIDENTIAL MEDIUM DENSITY (2 ACRES)

AREA B = (MD) RESIDENTIAL MEDIUM DENSITY / (SF) RESIDENTIAL SINGLE FAMILY (7 ACRES)

REVISIONS	DATE	COMMENTS
1	02-18-2016	
2	03-11-2016	
3	03-30-2016	

**LEGAL DESCRIPTION**  
 PART OF N 1/2 SE 1/4 SECTION 4-TT-25 AND THE SW 1/4 SE 1/4 SECTION 4-TT-25 AND THE NW 1/4 SECTION 9-TT-25 ALL IN AND PART OF THE CITY OF WEST DES MOINES, WARREN COUNTY, IOWA.

**BENCHMARK**  
 CITY OF WEST DES MOINES NETWORK POINT #10  
 #5 REBAR ENCASED IN A 6" DIA. X 48" MINIMUM DEPTH CONCRETE CYLINDER WITH A 1/2" DIA. ALUMINUM CAP AFFIXED TO THE TOP OF THE REBAR.  
 CITY OF WEST DES MOINES DATUM = 195.97  
 US65 DATUM = 964.95

IOWA SOUTH ZONE (1402)  
 HORIZ. DATUM: NAD83(NRS2001)  
 VERT. DATUM: NAVD 83  
 US SURVEY FEET

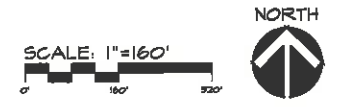
NORTHING: 2502164  
 EASTING: 1516443.14  
 ORTHOMETRIC HEIGHT: 954.95  
 ELLIPSOID HEIGHT: 961.126FT GEOD04  
 LATITUDE: N41°30'43.25500"  
 LONGITUDE: W93°49'54.33660"  
 HAPPSING ANGLE: -0°07'10"  
 CONVERSION SCALE FACTOR: 0.999421643

**LEGEND**

	MAJOR ARTERIAL (120' R.O.W.)
	MAJOR COLLECTOR (100' R.O.W.)
	MINOR ARTERIAL (120' R.O.W.)
	MINOR COLLECTOR (100' R.O.W.)
	GREAT WESTERN BIKE TRAIL
	MASTER PLAN AREA
	CORPORATE LIMITS
	INTERSECTION NODE

**NOTES**

1. AREA NORTH OF ADAMS STREET WILL BE SERVED BY A FUTURE SANITARY SEWER FROM THE NORTH.
2. PHASING SHALL COMMENCE FROM THE NORTHEAST CORNER AND PROCEED TO THE SOUTHWEST.



**Civil Engineering Consultants, Inc.**  
 2400 86th Street, Unit 12 • Des Moines, Iowa 50322  
 515.276.4884 • Fax: 515.276.7084 • mail@cecinc.com

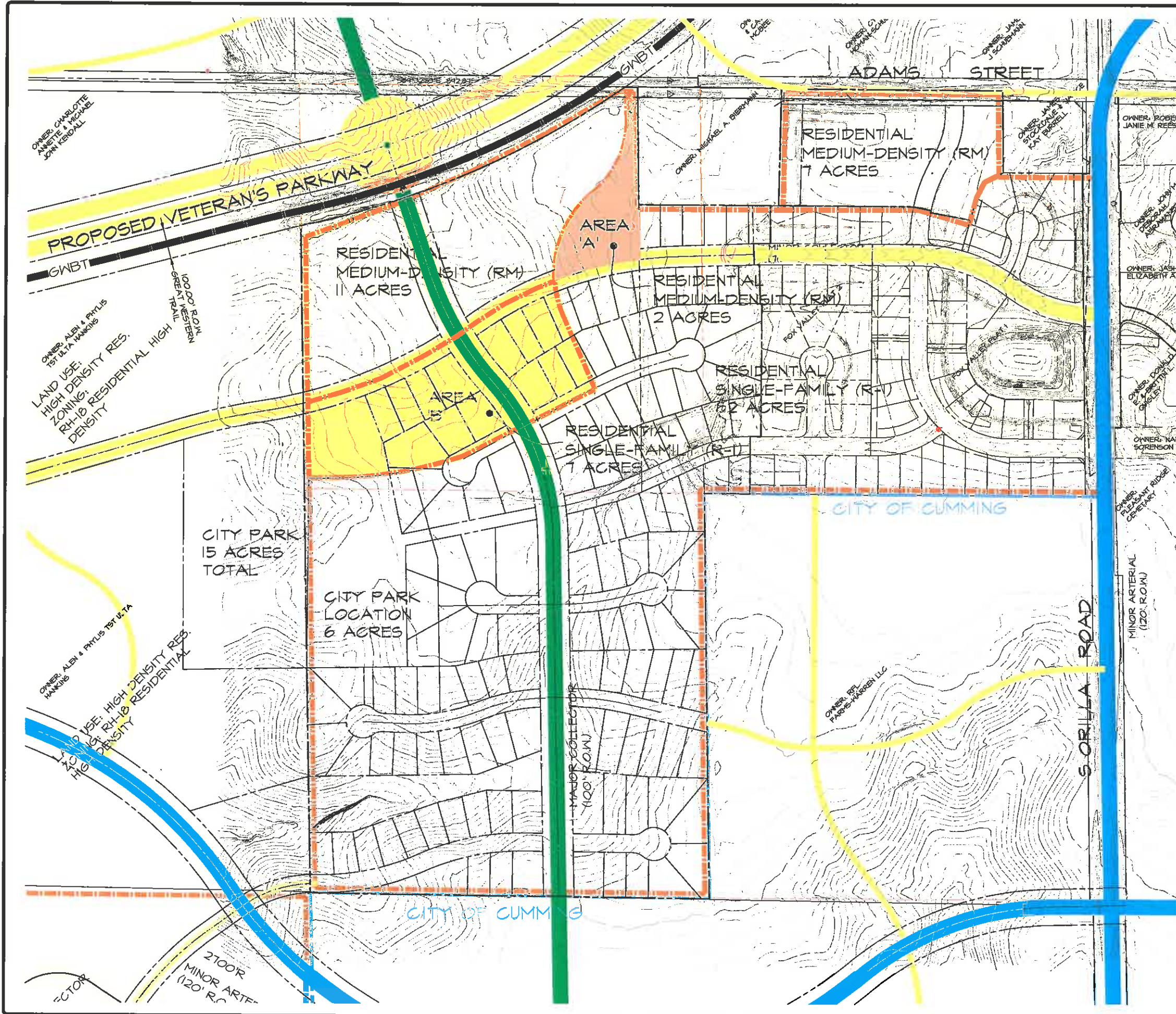
**CEC**

**FOX VALLEY**  
 WEST DES MOINES, IOWA  
 COMPREHENSIVE PLAN AMENDMENT

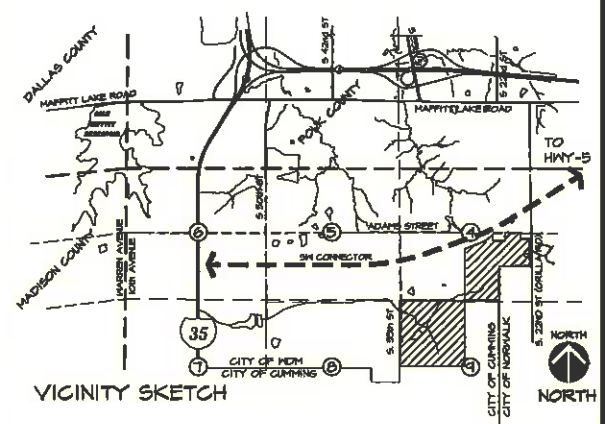
SHEET 1 OF 1

1642





**OWNER/DEVELOPER**  
 CHARLES I. COLBY & RUTH COLBY NATIONAL  
 DEVELOPMENT TRUST  
 8501 UNIVERSITY AVE.  
 WINDSOR HEIGHTS, IOWA 50811



**COMPREHENSIVE PLAN**  
 EXISTING: MEDIUM DENSITY RESIDENTIAL (MD)  
 SINGLE FAMILY RESIDENTIAL (SF)

**ZONING**

EXISTING	PROPOSED
AREA A = (R-1) RESIDENTIAL SINGLE FAMILY / (RM-12) RESIDENTIAL MEDIUM DENSITY (2 ACRES)	
AREA B = (RM-12) RESIDENTIAL MEDIUM DENSITY / (R-1) RESIDENTIAL SINGLE FAMILY (1 ACRES)	

**LEGAL DESCRIPTION**  
 PART OF N 1/2 SE 1/4 SECTION 4-17-25 AND THE SW 1/4 SE 1/4 SECTION 4-17-25 AND THE NW 1/4 SECTION 9-17-25 ALL IN AND PART OF THE CITY OF WEST DES MOINES, WARREN COUNTY, IOWA.

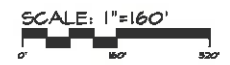
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 CITY OF WEST DES MOINES NETWORK POINT #10  
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 CITY OF WEST DES MOINES DATUM = 1984.17  
 USGS DATUM = 1984.16

IOWA SOUTH ZONE (1402)  
 HORIZ. DATUM: NAD83 (NAD83S2007)  
 VERT. DATUM: NAVD 1983  
 US SURVEY FEET  
 NORTHING: 551027.64  
 EASTING: 1516449.14  
 ORTHOMETRIC HEIGHT: 964.48  
 ELLIPSOID HEIGHT: 867.795FT GEOD04  
 LATITUDE: N41°50'49.25500"  
 LONGITUDE: W93°49'54.33860"  
 MAPPING ANGLE: -0°0'10"  
 COMBINATION SCALE FACTOR: 0.999921649

**LEGEND**

	MAJOR ARTERIAL (120' R.O.W.)
	MAJOR COLLECTOR (100' R.O.W.)
	MINOR ARTERIAL (120' R.O.W.)
	MINOR COLLECTOR (10' R.O.W.)
	GWTB
	GREAT WESTERN BIKE TRAIL
	MASTER PLAN AREA
	CORPORATE LIMITS
	INTERSECTION NODE

**NOTES**  
 1. AREA NORTH OF ADAMS STREET WILL BE SERVED BY A FUTURE SANITARY SEWER FROM THE NORTH.  
 2. PHASING SHALL COMMENCE FROM THE NORTHEAST CORNER AND PROCEED TO THE SOUTHWEST.



Civil Engineering Consultants, Inc.  
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 515.276.4884, Fax: 515.276.7084, mail@cecinc.com

**CEC**

DATE	REVISIONS	COMMENTS
02-18-2016	1	02-18-2016
06-11-2016	2	06-11-2016
08-26-2016	3	08-26-2016
	4	
	5	
	6	

FOX VALLEY  
 WEST DES MOINES, IOWA  
 REZONING SKETCH

SHEET  
 OF 1

A1648