NO CHANGE FROM PREVIOUS READING

CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

Date: May 2, 2016

ITEM: Fox Valley, Generally the area south of SE Adams Street and west of SE Orilla Road – Rezone 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) consistent with the Comprehensive Plan Land Use designation – Charles I. & Ruth Colby National Development Trust - ZC-002969-2016

ORDINANCE: Approval of Second Reading, Waive Third and Adopt in Final Form

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The applicant, Charles I. & Ruth Colby National Development Trust is requesting approval to designate 1.2 acres from Single Family Residential (R-1) to Medium Density Residential (RM-12) and 10.3 acres from Medium Density Residential (RM-12) to Single Family Residential (R-1) to be consistent with the Comprehensive Plan Land Use designation.

Previous Council Action:
Vote: 4-0 approval, with Councilmember Trimble absent
Date: April 18, 2016
Motion: Approval of the First Reading of the Ordinance.

At the April 18, 2016, City Council meeting, the City Council also voted to approve a Comprehensive Plan Land Use Map Amendment to change the same 1.2 acres from Single Family Residential (SF) to Medium Density Residential (MD) and the same 10.3 acres from Medium Density Residential (MD) to Single Family Residential (SF) on the City Comprehensive Plan Land Use Map.

OUTSTANDING ISSUES: There are no outstanding issues.

RECOMMENDATION: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, staff recommends the City Council approve the second reading, waive the third reading and adopt the ordinance approving the rezoning request to amend the Zoning Map to designate 1.2 acres from Single Family Residential (R-1) to Medium Density Residential (RM-12) and 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.

Lead Staff Member: Brian S. Portz, AICP BP

STAFF REVIEWS:

Department Director	
Appropriations/Finance	
Legal	JBW
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	Des Moines Register Community Section
Date(s) Published	April 1, 2016
Letter sent to surrounding property owners	March 29, 2016

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	March 21, 2016		
Recommendation	Yes ☒	No ☐	Split ☐

ATTACHMENTS: Attachment A - Proposed Ordinance
Exhibit A - Proposed Zoning Map

Prepared by: B. Portz, Development Services Dept, PO Box 65320, West Des Moines, IA 50265-0320 515-222-3620
When Recorded, Return to: City Clerk, City of West Des Moines, P. O. Box 65320, West Des Moines, IA 50265-0320

ORDINANCE NO.

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP AND THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2014, BY AMENDING TITLE 9: ZONING, CHAPTER 4: ZONING DISTRICTS AND MAP

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA:

SECTION 1. AMENDMENT: The Zoning Map of the City of West Des Moines, Iowa, is hereby amended as illustrated in Exhibit A, by designating, in compliance with the adopted City of West Des Moines Comprehensive Land Use Plan, 1.2 acres as Medium Density Residential (RM-12) and 10.3 acres as Single Family Residential (R-1).

Legal Description

PART OF THE NORTHWEST ¼ OF THE SOUTHEAST ¼ SECTION OF 4-77-25 IN AND NOW FORMING A PART OF THE CITY OF WEST DES MOINES, WARREN COUNTY, IOWA.

SECTION 2. SAVINGS CLAUSE. If any section, provision, sentence, clause, phrase or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any provision, section, subsection, sentence, clause, phrase or part hereof not adjudged invalid or unconstitutional.

SECTION 3. VIOLATIONS AND PENALTIES. Any person who violates the provisions of this Ordinance upon conviction shall be punished as set forth in title 1, Chapter 4, Section 1 and Section 2 of the City Code of the City of West Des Moines, Iowa.

SECTION 4. OTHER REMEDIES. In addition to the provisions set out in the Violations and Penalties Section herein, the City may proceed in law or equity against any person, firm, or corporation for violation of any section or subsection of this Ordinance.

SECTION 5. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval, and publication as provided by law.

Approved and passed by the City Council on the ____ day of _____, 2016.

_____
Steven K. Gaer, Mayor

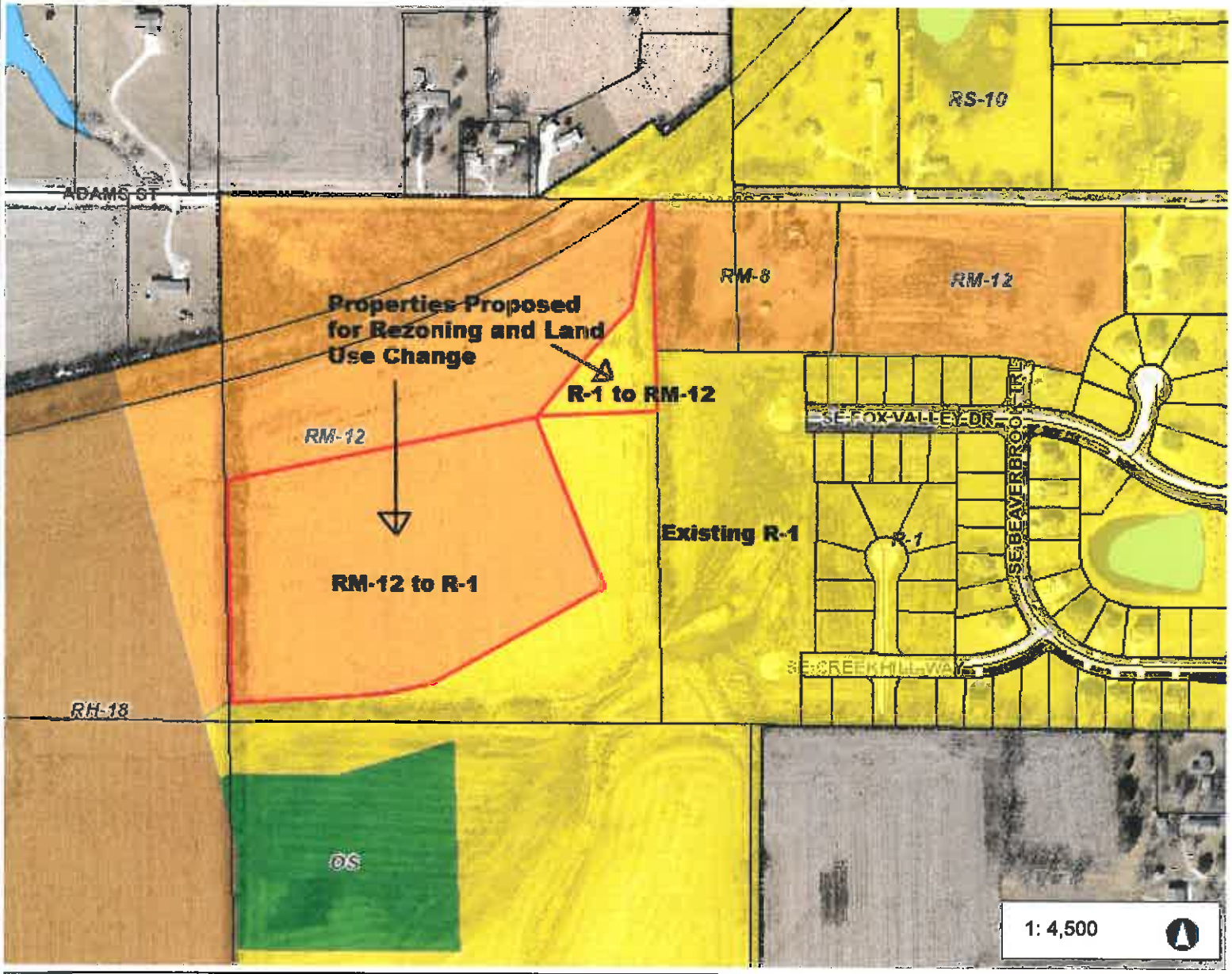
ATTEST:

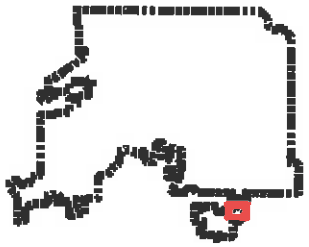
_____
Ryan T. Jacobson
City Clerk

I certify that he foregoing was published as Ordinance No. _____ on the _____ day of _____, 2016.

_____
Ryan T. Jacobson
City Clerk

Zoning Map





Legend

- Parcels
- Zoning Area Labels
- Town Center Overlay District
- Zoning Conditional Zones
- Zoning PUD Boundaries
- Zoning
  - Unzoned
  - Open Space/Agricultural (OS)
  - Residential Estate (RE)
  - Residential Single-Family (RS)
  - Single-Family Residential (R-1)
  - Single-Family - Commerce Resider
  - 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 (\
  - 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 (VJI
  - Light Industrial (LI)
  - General Industrial (GI)
  - PUD - Open Space

750.0 0 375.00 750.0 Feet

NAD_1983_StatePlane_Iowa_South_FIPS_1402_Feet

© City of West Des Moines, Iowa

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

EXHIBIT A