

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

Meeting Date: April 9, 2018

Item: Nazarene Church Campground – 2001, 2251, and 2296 Fuller Road – Repeal Nazarene Church Campground Planned Unit Development – City Initiated –ZC-003832-2018

Resolution: Approval of Rezoning Request

Requested Action: Recommend approval of a Zone Change

Case Advisor: Kara V. Tragesser, AICP 

Applicant’s Request: The City of West Des Moines is requesting that the Nazarene Church Campground Planned Unit Development ordinance be repealed. In January 2014, the City Council approved a rezoning of the then Walnut Creek Church property at 2251 Fuller Road to change the zoning of the property from Nazarene Church Campground PUD to Open Space; however, the ordinance approved change the zoning map, but did not repeal the Planned Unit Development Ordinance. This action is to officially repeal the Nazarene Church Campground ordinance and removed it from codification (see Attachment B – Proposed Ordinance).

History: The property was zoned Nazarene Church Campground in 2003. No current development is pending to change the campground buildings.

City Council Subcommittee: Due to the nature of the request which follows up on the 2014 action which intended the PUD to be eliminated from the property, this request was not presented to the Development and Planning City Council Subcommittee.

Staff Review and Comment: None.

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: On March 28, 2018, notice for the April 9, 2018, Plan and Zoning Commission and the April 16, 2018, City Council public hearings on this project was published in the Des Moines Register Community Section. Notice of these public hearings was also mailed to all surrounding property owners within 370 feet of the subject property on March 28, 2018.

Staff Recommendation and Conditions of Approval – Rezoning Request: 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 recommending to the City Council approval of a zone change for property located at 2001, 2251, and 2296 Fuller Road to repeal the Nazarene Church Campground Planned Unit Development.

ATTACHMENTS:

- Attachment A - Plan and Zoning Commission Resolution – Zone Change
- Exhibit A - Conditions of Approval
- Attachment B - Proposed Ordinance

RESOLUTION NO. PZC -18-017

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-003832-2018) FOR THE PURPOSE OF REPEALING THE NAZARENE CHURCH CAMPGROUND PLANNED UNIT DEVELOPMENT (#67)

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, The City of West Des Moines requests approval of a Rezoning Request for that property legally described in Exhibit B;

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

WHEREAS, on April 9, 2018, this Commission held a duly-noticed hearing to consider the application for the Rezoning Request (ZC-003832-2018);

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 9, 2018, or as amended orally at the Plan and Zoning Commission hearing of April 9, 2018, are adopted.

SECTION 2. REZONING REQUEST (ZC-003832-2018) to repeal the Nazarene Church Campground PUD in its entirety while maintaining the zoning of Open Space as approved in January 2014 under Ordinance 2019 is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report, dated April 9, 2018, 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 9, 2018.

Craig Erickson, Chair
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 9, 2018, by the following vote:

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

ATTEST:

Recording Secretary

EXHIBIT A
Conditions of Approval

None.

Prepared by: K Tragesser, Development Services, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265
Return To: City Clerk, City of West Des Moines, P.O. Box 65320, West Des Moines, IA 50265
Tax Statement: Not Applicable

ORDINANCE # _____

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 9, PLANNED UNIT DEVELOPMENT DISTRICT, PERTAINING TO P.U.D. (PLANNED UNIT DEVELOPMENT) DISTRICT REGULATIONS AND GUIDELINES FOR THE NAZARENE CHURCH CAMPGROUND PUD #67

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

SECTION 1. AMENDMENT. Ordinances 1557 and 2019 Nazarene Church Campground PUD #67 are hereby amended by renaming the Planned Unit Development from “Nazarene Church Campground” to ‘Reserved”.

SECTION 2. AMENDMENT: Amend Ordinance 2019 to repeal the language of the Nazarene Church Campground #67 Planned Unit Development in its entirety, while retaining the zoning designation approved with Ordinance 2019.

SECTION 3. SAVINGS CLAUSE: If any section, provision, sentence, clause, phrase or part of the 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 4. EFFECTIVE DATE: This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

Passed and approved by the City Council on this ____ day of _____, 2018.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk

I certify that the foregoing was published as Ordinance No. _____ on the ____ day of _____, 2018.

Ryan T. Jacobson, City Clerk