

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

Meeting Date: March 25, 2019

Item: Sugar Creek Estates, Located approximately at the Northeast corner of 100th Street and Stagecoach Drive- Designate Residential Medium Density (RM-8) zoning on approximately 24.01 acres - Sugar Creek Estates, LLC –ZC-004124-2018

Requested Action: Approval of a Rezoning Request

Case Advisor: J. Bradley Munford, Planner 

Applicant's Request: The applicants, Sugar Creek Estates, LLC, have submitted an application for approval of a rezoning request to rezone property from 'Unzoned' to Residential Medium Density (RM-8) for the property located approximately at the Northeast corner of 100th Street and Stagecoach Drive

History: The property was annexed into the city in 2003 as a part of the Mills Civic Parkway Annexation. The Medium Density Comprehensive Plan designation was established September of 2010.

City Council Subcommittee: This Item was presented to the Development and Planning Council Subcommittee on November 12, 2018 as an informational item. The Subcommittee expressed support of the development.

Staff 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.

Noticing Information: On March 15, 2019, a notice of the March 25, 2019, Plan and Zoning Commission and April 1, 2019 City Council public hearings was published in the *Des Moines Register*. Notice of this public hearing also was mailed to all surrounding property owners within 370 feet of the subject property on March 15, 2019.

Staff Recommendations and Conditions of Approval: Based upon the preceding review and a findings of consistency with the Comprehensive Plan, staff recommends that the Plan and Zoning Commission adopt a resolution recommending the City Council approve a Rezoning Request to change the land use designation from 'Unzoned' to Residential Medium Density (RM-8), subject to the applicant meeting all City Code requirements.

Applicant:
Dave Harmeyer
Sugar Creek Estates LLC
2400 86th Street Suite 24
Urbandale, Iowa 50313
dave@vistarei.com

Applicant Representative:
Eric Cannon
Snyder and Associates
2727 SW Snyder Blvd
Ankeny, Iowa 50023
Ecannon@snyder-associates.com

Attachments:

- Attachment A - Plan and Zoning Commission Resolution
- Exhibit A - Conditions
- Attachment B - Location Map
- Attachment C - Proposed Zoning Map

RESOLUTION NO. PZC-19-023

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE AN ORDINANCE TO REZONE 24.01 ACRES OF PROPERTY FROM 'UNZONED' TO RESIDENTIAL MEDIUM DENSITY (RM-8)

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Sugar Creek Estates, LLC, has requested approval of an ordinance to Rezone 24.01 acres of property located approximately at the Northeast corner of 100th Street and Stagecoach Drive from 'Unzoned' to Residential Medium Density (RM-8);

LEGAL DESCRIPTION

PART OF OUTLOT "Y", TIBURON AN OFFICIAL PLAT AND PARCEL 17-121 AS RECORDED IN BOOK 2016, PAGE 22954 OF THE DALLAS COUNTY RECORDER'S OFFICE ALL BEING IN THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 15, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA.

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 March 25, 2019 this Commission held a duly-noticed hearing to consider the application for a Rezoning Request from 'Unzoned' to Residential Medium Density (RM-8) (ZC-004124-2018);

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 for this meeting or as amended orally at the meeting are adopted.

SECTION 2. The Rezoning request for 24.01 acres of property from 'Unzoned' to Residential Medium Density (RM-8) is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report including conditions added at the Hearing, and attached hereto as Exhibit A. 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 March 25, 2019.

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 March 25, 2019, by the following vote:

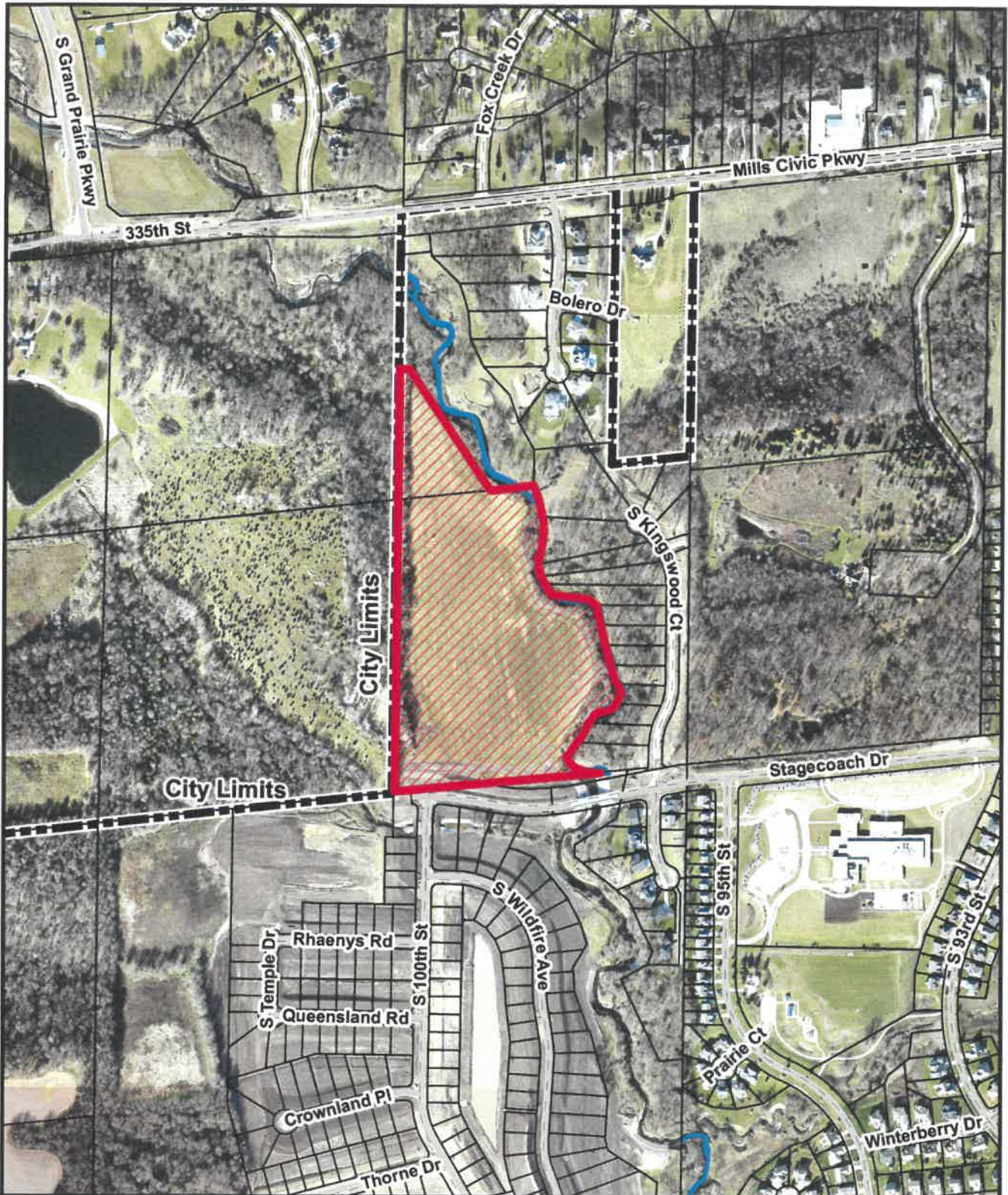
AYES:
NAYS:
ABSTENTIONS:
ABSENT:

ATTEST:

Recording Secretary

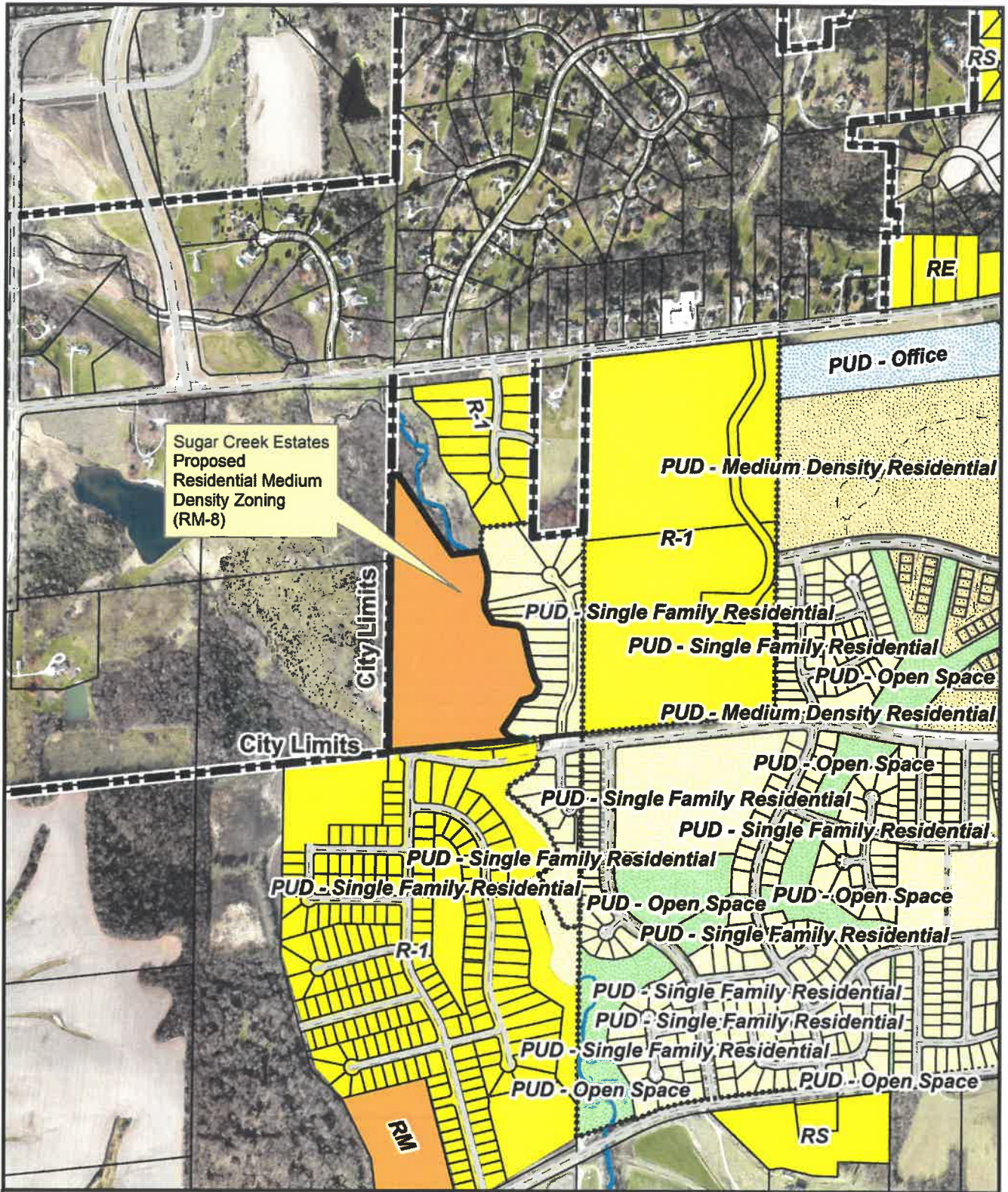
**Exhibit A
CONDITIONS**

1. No Conditions of Approval



Sugar Creek Estates





Sugar Creek Estates Proposed Zoning



NOT TO SCALE