

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

Meeting Date: November 11, 2019

Item: Comprehensive Plan Amendment and Zone Change, 1000 and 1100 S. 60th Street– Change the Comprehensive Plan land Use Map and Zoning Map from Low Density Residential to Single Family Residential land use designation and change the zoning designation from Residential Estate (RE-1A) to Single Family Residential (R-1) – Toby Torstenson – CPA-004518-2019/ZC-004515-2019

Requested Action: Recommend approval of the amendments to the Comprehensive Plan Land Use Map and the Zoning Map

Case Advisor: Kara V. Tragesser, AICP 

Applicant's Request: Toby Torstenson, with permission from the property owner Douglas DeYarman, is seeking approval of an amendment to the Comprehensive Plan Land Use Map to change the land use designation of the properties located at 1000 and 1100 S. 60th Street from Low Density Residential to Single Family Residential (see Attachment A, Exhibit A – Land Use Sketch) and to amend the zoning map designation for this property from Residential Estate (RE-1A) to Residential Single Family (R-1) (see Attachment B, Exhibit B - Zoning Sketch) to a large lot residential development for 12 single family detached houses.

History: There is an existing dwelling on 1000 S. 60th Street and 1100 S. 60th Street is undeveloped. These lots were platted when the property was outside of the corporate limits of the City.

City Council Subcommittee: This item was presented to the Development and Planning City Council Subcommittee at their November 4, 2019, meeting. The Subcommittee was supportive of the amendment to the Comprehensive Plan Land Use Map and the Zoning Map.

Staff Review and Comment: This request was distributed to other City departments and other agencies for their review and comment. There are no outstanding issues. Staff notes the following:

- *Rezoning to Single Family Residential (R-1):* Staff is recommending approval of the change in land use and zoning designations, but will recommend to the City Council that the first reading of the ordinance to change the zoning be approved and that the 2nd and 3rd readings be deferred until the final plat is reviewed by the City Council for approval. The applicant requested the R-1 zoning to take advantage of the lesser setbacks for side yards in the R-1 districts than the other residential districts (7 feet minimum versus a minimum of 8 feet on one side with a combined total of 20 feet for both sides, respectively). The concept for the subdivision is included as Attachment C – Concept Plan. Based upon the concept, staff only is supportive of the changes due to the shown large lots on the concept plan, similar in character to the Glen Oaks development adjacent to the east.

Staff is requesting the deferral of the final readings of the zone change ordinance in the event that something causes the plan to change to a smaller lot development, as would be allowed, that would not be consistent with the context of the area. In order to support the applicant's request for the R-1 zoning which would allow the lesser setback or instead of imposing a planned unit development which isn't justified for avoiding code requirements, staff feels the change in process will work to address concerns about having a smaller lot development instead of the large lot development as shown on the concept drawing.

- **Citizen Comment:** please see Attachment D – Citizen Comment from an adjacent property owner regarding the proposed changes.

Comprehensive Plan Consistency: The proposed amendments have been reviewed for consistency with the Comprehensive Plan. Based upon that review, a finding has been made that the proposed amendment 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, upon approval of the amendment to the land use map.

Staff Recommendations and Conditions of Approval Based upon the preceding review and a finding of consistency with the Comprehensive Plan, staff recommends that the Plan and Zoning Commission adopt a resolution recommending the City Council approve the amendment to the Comprehensive Plan Land Use Map to change the land use designation for properties at 1000 and 1100 S. 60th Street from Low Density Residential to Single Family Residential designation and adopt a resolution recommending the City Council approve the amendment to the Zoning Map to change the designation of the properties from Residential Estate (RE-1A) to Residential Single Family (R-1) zoning districts, subject to the applicant meeting all City Code requirements

Noticing Information: On November 1, 2019, notice for the November 11, 2019, Plan and Zoning Commission and the November 18, 2019, City Council Public Hearings on this project was published in the Des Moines Register. Notice of these public hearings also was mailed to all property owners within 370 feet of the property boundary on October 9, 2019.

Property Owner: Douglas DeYarman
1000 S. 60^h Street
West Des Moines IA 50266

Applicant: Toby Torstenson
9550 Hickman Road, Suite 101
Clive IA 50325

Attachments:

- Attachment A - Plan and Zoning Commission Resolution – Land Use Designation
 - Exhibit A- Land Use Sketch
- Attachment B - Plan and Zoning Commission Resolution – Rezoning
 - Exhibit A - Conditions of Approval
 - Exhibit B – Zoning Sketch
- Attachment C – Concept Plan
- Attachment D – Citizen Comment

RESOLUTION NO. PZC₁₉₋₀₇₃

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE THE COMPREHENSIVE PLAN LAND USE MAP AMENDMENT (CPA-004518-2019) FOR THE PURPOSE OF CHANGING THE LAND USE DESIGNATION OF PROPERTIES LOCATED AT 1000 AND 1100 S. 60TH STREET FROM LOW DENSITY RESIDENTIAL TO SINGLE FAMILY RESIDENTIAL LAND USE DESIGNATION

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, Toby Torstenson, with permission from the property owner, Douglas DeYarman, has requested approval of a Comprehensive Plan Land Use Map Amendment for that property legally described below and illustrated on Exhibit B;

Legal Description

Except the west 27 feet of Lot 3 and except the west 27 feet of Lot 2, Westview Country Estates Replat, an official plat now in and forming a part of the City of West Des Moines, Polk 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; and

WHEREAS, on November 11, 2019, this Commission held a duly-noticed public hearing to consider the application for Comprehensive Plan Amendment (CPA-004518-2019).

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 Low Density Residential to Single Family Residential for property legally described above is recommended to the City Council for approval.

PASSED AND ADOPTED on November 11, 2019.

Erica Andersen, 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 November 11, 2019, by the following vote:

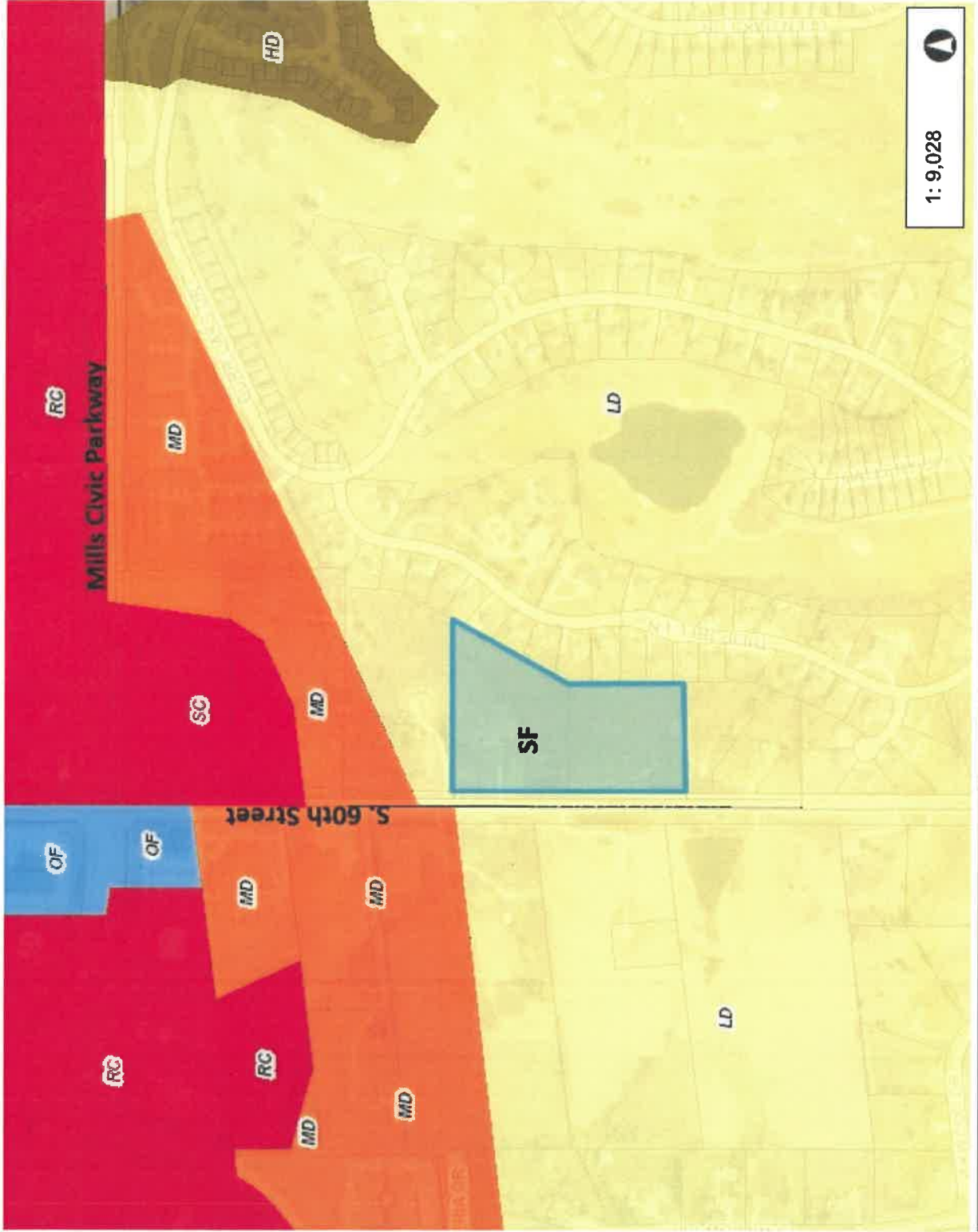
AYES:
NAYS:
ABSTENTIONS:
ABSENT:

ATTEST:

Recording Secretary



1000 and 1100 S. 60th Street Land Use Change



1: 9,028



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

WGS_1984_Web_Mercator_Auxiliary_Sphere
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Legend

- Comprehensive Plan Land Use**
- OS: Open Space
 - PG: Parks & Greenways
 - LD: Low Density Residential
 - SF: Single Family Residential
 - MD: Medium Density Residential
 - HD: High Density Residential
 - MF: Manufactured Homes
 - MU: Mixed Use
 - RC: Regional Commercial
 - TCC: Town Center Commercial
 - CMC: Community Commercial
 - SO: Support Office
 - NC: Neighborhood Commercial
 - SC: Support Commercial
 - HC: Highway Commercial
 - CVC: Convenience Commercial
 - VJ SC: Valley Junction Commercial
 - HBC: Historic Business
 - OF: Office
 - GI: General Industrial
 - LI: Light Industrial
 - BP: Business Park
 - WR: Warehouse/Retail
- Corporate Limits**
- Corporate Limits
 - Parcels

PLAN AND ZONING COMMISSION RESOLUTION #PZC -19-074

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-004515-2019) FOR THE PURPOSE OF AMENDING THE ZONING MAP TO CHANGE THE ZONING DESIGNATION OF PROPERTIES LOCATED AT 1000 AND 100 S. 60th STREET

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, Toby Torstenson, with permission from the property owner, Douglas DeYarman, has requested approval of a Comprehensive Plan Land Use Map Amendment for that property legally described below and illustrated on Exhibit B;

Legal Description

Except the west 27 feet of Lot 3 and except the west 27 feet of Lot 2, Westview Country Estates Replat, an official plat now in and forming a part of the City of West Des Moines, Polk County, Iowa; and

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; and

WHEREAS, on November 11, 2019, this Commission held a duly-noticed hearing to consider the application for a Rezoning Request; and

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 November 11, 2019, or as amended orally at the Plan and Zoning Commission hearing of November 11, 2019, are adopted.

SECTION 2. REZONING REQUEST (ZC-004515-2019) to amend the zoning map, subject to compliance with all the conditions in the staff report, dated November 11, 2019, 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 November 11, 2019.

Erica Andersen, 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 November 11, 2019, by the following vote:

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

ATTEST:

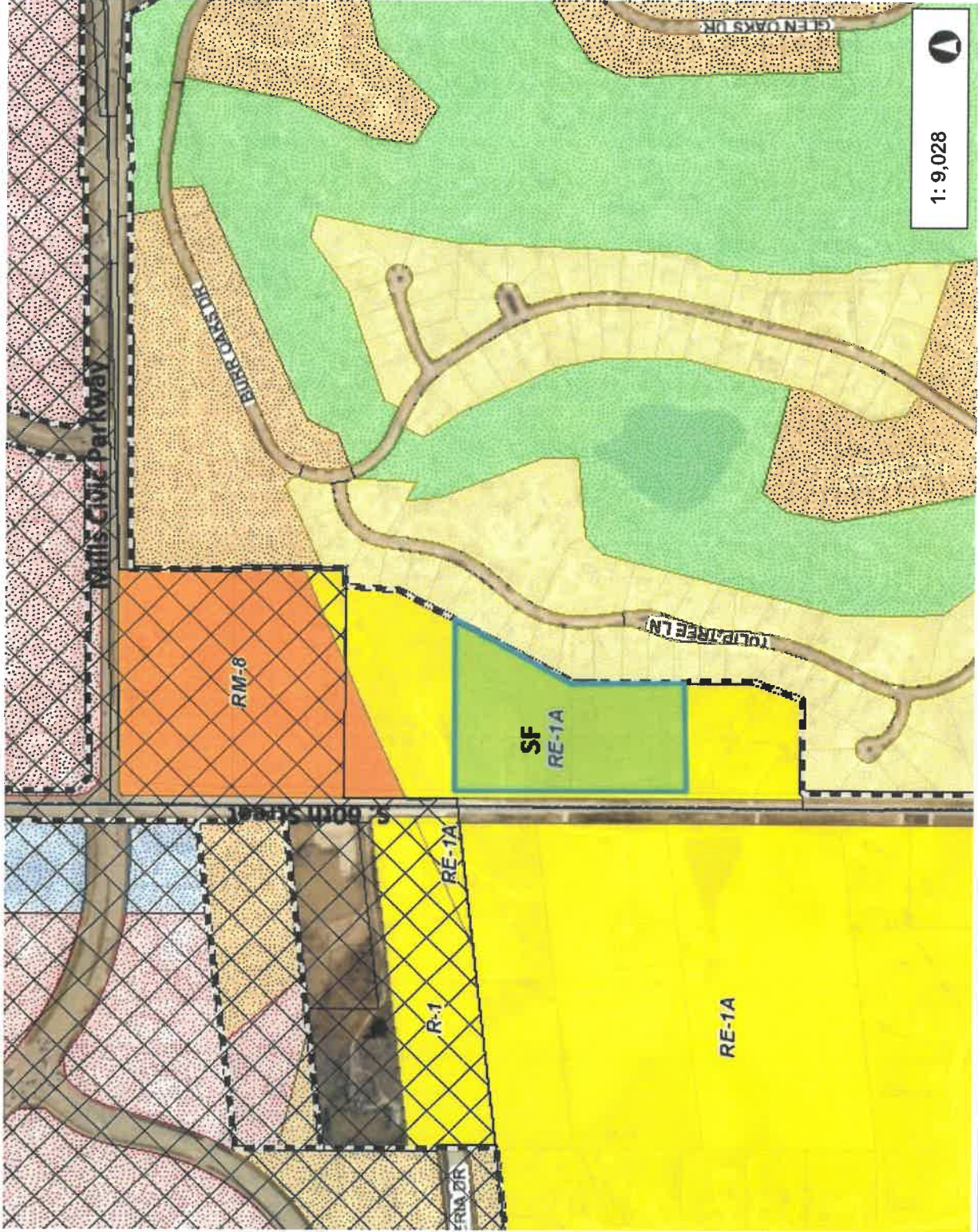
Recording Secretary

Exhibit A
Conditions of Approval

None.



1000 and 1100 S. 60th Street Zone Change



1 : 9,028



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

WGS_1984_Web_Mercator_Auxiliary_Sphere
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Legend

Zoning Area Labels

- 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 (VJHB)
- 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
- PUD - Single Family Residential

Tragesser, Kara

From: Sean Spellman <sean@spellmanlawpc.com>
Sent: Tuesday, November 5, 2019 12:33 PM
To: Tragesser, Kara
Subject: [EXT] Re: 1000 and 1100 S. 60th St.

Dear Ms. Tragesser,

I am writing regarding the notice of public hearing issued from your office by Lynne Twedt related to the above project. I am an impacted property owner located at 1077 Tulip Tree Lane.

I am writing to express my objection to the proposed zoning changes. Such proposed changes would diminish the integrity of the neighborhood and would adversely impact nearby property values. The redevelopment of the proposed area would certainly contribute to excess water runoff. The above-described properties existed for many years as a residential forest preserve. The proposed elimination of that ground for the development of twelve lots would be contrary to the past existing use and would eliminate natural habitat. Any public interest in the development and rezoning of this area is outweighed by the above factors.

Could you please forward my comments to the full P&Z Commission for their consideration? Thanks in advance for your cooperation and consideration.

Yours Truly,

Sean Spellman

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