CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

Date: March 16, 2020

ITEM: Manchester Village, 9076 Lindas Lane – Rezoning from "Unzoned" to Residential Medium Density (RM-12) – Stanbros Development, LLC – ZC-004629-2020

ORDINANCE: Approval of First Reading of Ordinance

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The developer and owner, Stanbros Development, LLC, is requesting the City consistency zone the property to Residential Medium Density (RM-12) for the development of townhomes on the property. The property is currently designated as Medium Density Residential (MD) on the City Comprehensive Plan Land Use Map and is "Unzoned" on the City Zoning Map. The proposed rezoning will be consistent with the existing land use.

Plan and Zoning Commission Action:
Vote: 7-0 for approval
Date: March 9, 2020
Motion: Adopt a resolution recommending the City Council approve the request to rezone the property from "Unzoned" to Residential Medium Density (RM-12).

Plan & Zoning Commission Discussion:
Several residents spoke in opposition to the request citing increased traffic on 91st Street and negative impacts of construction traffic on 88th Street, which is not paved in certain locations. In addition, a few were concerned with the removal of trees on the site. The applicant's engineer stated that the applicant intends to save as many of the trees as possible and preserve the natural creek as much as possible. Residents were also concerned about the value of their homes decreasing because of the proposed townhomes. The applicant stated that the townhomes are proposed to be ranch style, attached townhomes that will sell in the upper $200,000 to $300,000 range.

OUTSTANDING ISSUES: There are no outstanding issues. The applicant has stated that they are in agreement with all of staff's recommendations and conditions. The following items of interest are noted in the Plan & Zoning Commission report (see Exhibit I):

- Applicant's Request
- History
- City Council Subcommittee - *Development & Planning: February 17, 2020*
- Staff Review and Comment
  - *Proposed Townhomes*
- Comprehensive Plan Consistency
- Noticing Information
- Staff Recommendation and Conditions of Approval
- Property Owner/Applicant/Applicant Representative Information

RECOMMENDATION: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, the Plan and Zoning Commission recommends the City Council approval of the rezoning from "Unzoned" to Residential Medium Density (RM-12) to allow for townhome development, subject to the applicant meeting all City Code requirements.

Lead Staff Member: Brian Portz, AICP BP

Staff Reviews:

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	Des Moines Register	
Date(s) Published	February 28, 2020	
Letter sent to surrounding property owners		February 28, 2020

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	February 17, 2020		
Recommendation	Yes ☒	No ☐	Split ☐

ATTACHMENTS:

Exhibit I - Plan and Zoning Commission Communication
- Attachment A - Resolution – Approval of the Rezoning
  - Exhibit A - Conditions of Approval
- Attachment B - Location Map
- Attachment C - Current Comprehensive Plan Land Use Map

Exhibit II - Ordinance for Rezoning

EXHIBIT I

CITY OF WEST DES MOINES
PLAN AND ZONING COMMISSION COMMUNICATION

Meeting Date: March 9, 2020

Item: Manchester Village, 9076 Lindas Lane – Rezoning from "Unzoned" to Residential Medium Density (RM-12) – Stanbros Development, LLC – ZC-004629-2020

Requested Action: Recommend Approval of Rezoning

Case Advisor: Brian Portz, AICP BP

Applicant's Request: The developer and owner, Stanbros Development, LLC, is requesting the City consistency zone the property to Residential Medium Density (RM-12) for the development of townhomes on the property. The property is currently designated as Medium Density (MD) on the City's Comprehensive Plan Land Use Map and is "unzoned" on the City's Zoning Map. The proposed rezoning will be consistent with the proposed land use.

History: The property was annexed into the City of West Des Moines in 2000 as a part of the larger 88th Street Annexation. The property was platted in 1974 while the property was located in unincorporated Dallas County. A single-family dwelling exists on the property now but will be demolished/removed in conjunction with development.

City Council Subcommittee: This item was presented to the Development & Planning City Council Subcommittee at their February 17, 2020 meeting, as an informational item only. No discussion was had and no disagreement with the proposal was expressed.

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 with the rezoning. Additional review and comments will be forthcoming with the preliminary plat, final plat and site plan submittal for the actual development of the site. Staff would note the following:

- *Proposed Townhomes:* The applicant is proposing 66 dwelling units on the site for a total of 8.3 units per acre. The townhome buildings will be single story ranch units with garages and will consist of 4 to 5 attached units in a row. Since the south property line of the development is adjacent to single family homes, City Code requires that the townhomes within the south 150' of the site be limited to no more than 6 attached units per building, no more than 2 stories in height, a maximum building length of 160', and maximum garage length of 100'. The concept plan for the site that has been submitted appears to meet these requirements. This will be specifically reviewed at the time of site plan submittal to ensure that this Code requirement is met.

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 of the goals and policies of the Comprehensive Plan and the land use map of the Comprehensive Plan.

Noticing Information: On February 28, 2020, notice for the March 9, 2020, Plan and Zoning Commission and March 16, 2020, City Council Public Hearings on this project was 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 February 28, 2020.

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 recommending the City Council approve the Rezoning from "Unzoned" to

Residential Medium Density (RM-12) to allow for a townhome development, subject to the applicant meeting all City Code requirements.

Property Owner:	Stanbros Development, LLC 10888 Hickman Road, Suite 3B Clive, IA 50325
Applicant:	City of West Des Moines 4200 Mills Civic Parkway West Des Moines, IA 50265
Property Owner's Representative:	Civil Design Advantage, LLC Jared Murray 3405 SE Crossroads Drive, Suite G Grimes, IA 50111 jaredm@cda-eng.com

ATTACHMENTS:

Attachment A - Plan and Zoning Commission Resolution
Exhibit A - Conditions of Approval
Attachment B - Location Map

ATTACHMENT A

RESOLUTION NO. PZC - 20-008

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, IOWA, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE THE MANCHESTER VILLAGE REZONING (ZC-004629-2020) FOR THAT PROPERTY LOCATED AT 9076 LINDAS LANE

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Stanbros Development, LLC, has requested City staff initiate a consistency zoning for the property to allow for the development of townhomes on that property located at 9076 Lindas Lane; 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 March 9, 2020, this Commission held a duly-noticed hearing to consider the Rezoning Permit (ZC-004629-2020).

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 March 9, 2020, or as amended orally at the Plan and Zoning Commission hearing of March 9, 2020, are adopted.

SECTION 2. REZONING PERMIT (ZC-004629-2020) to consistency zone the property with the Medium Density Residential designated on the City's Comprehensive Plan Land Use map is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report, dated March 9, 2020, including conditions added at the meeting, 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 9, 2020.

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 March 9, 2020, by the following vote:

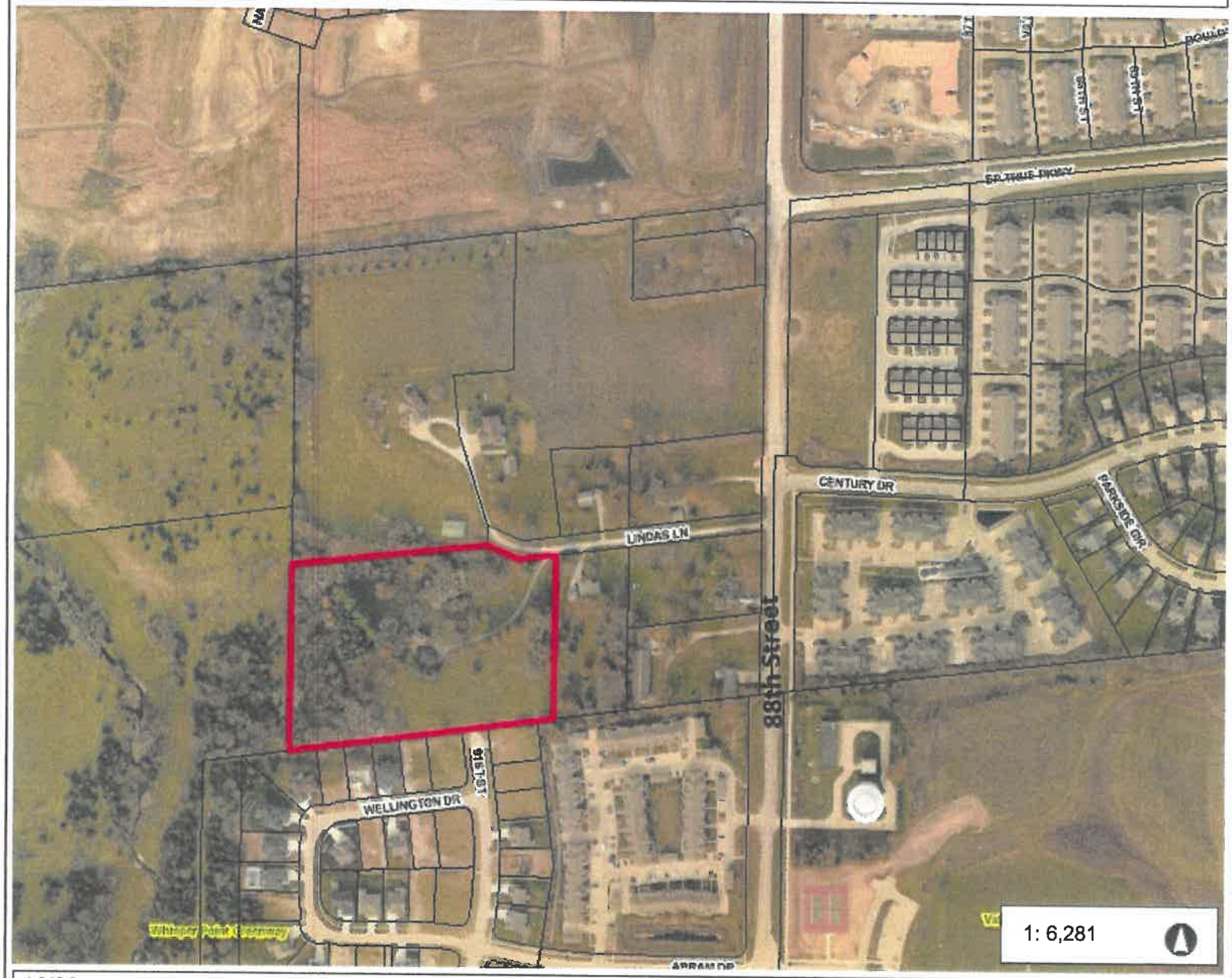
AYES: Andersen, Costa, Crowley, Drake, Erickson, Hatfield, Southworth
NAYS:
ABSTENTIONS:
ABSENT:

ATTEST:
Recording Secretary

Exhibit A
Conditions of Approval

No conditions of approval.

Location Map



Legend

- Corporate Limits
- Parcels

1,046.8 0 523.42 1,046.8 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

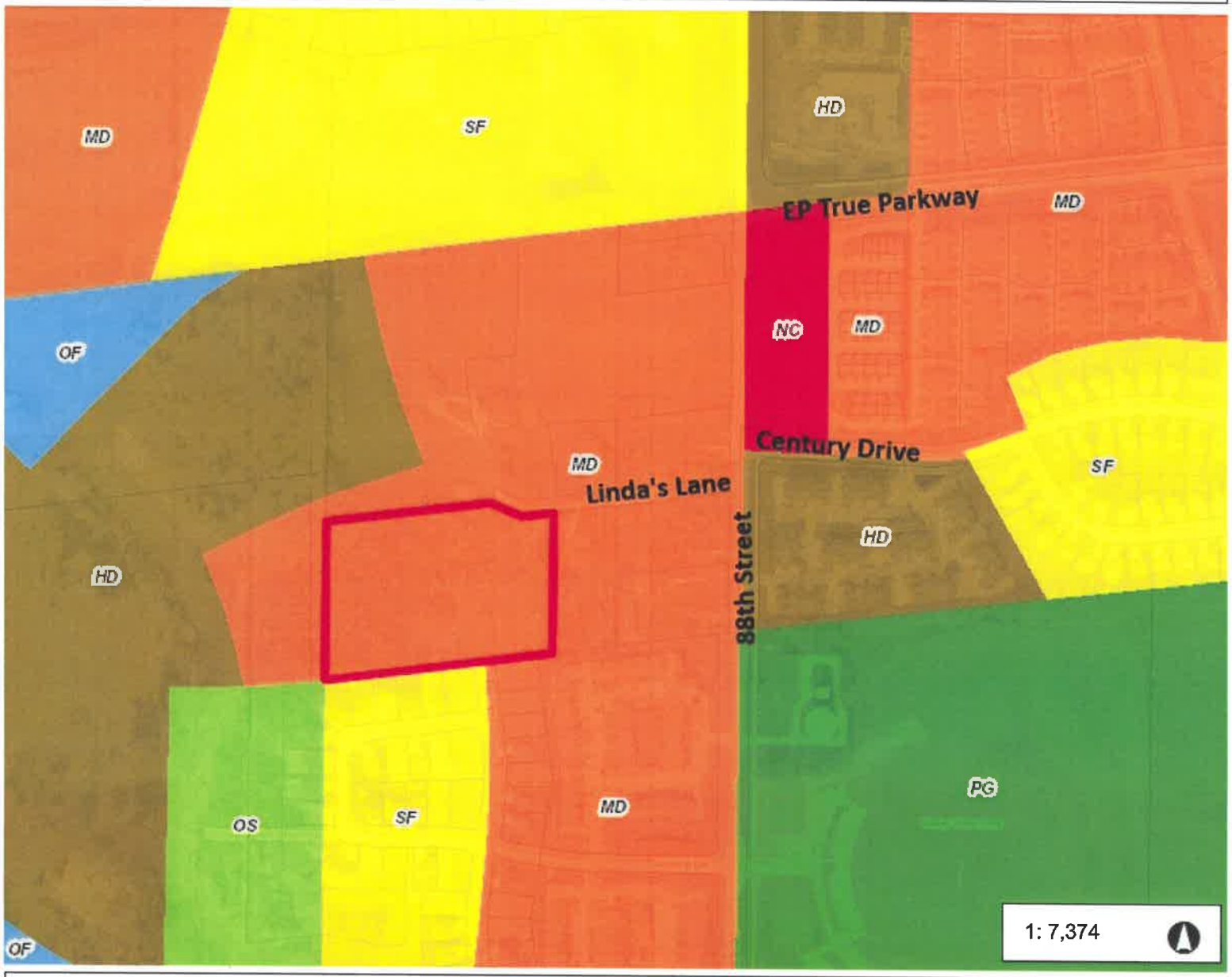
© City of West Des Moines, Iowa

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

ATTACHMENT B

Comprehensive Plan Land Use Map



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
- Parcels

1,229.0 0 614.51 1,229.0 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

© 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

ATTACHMENT C

EXHIBIT II

Prepared by: B. Portz, Development Services, P.O. 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, 2019, 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 by rezoning the portions of the following legally described property from "Unzoned" to Residential Medium Density (RM-12) district in Compliance with the adopted City of West Des Moines Comprehensive Land Use Plan.

Legal Description

LOT D OF IRREGULAR SURVEY OF NE 1/4 SE 1/4 SECTION 10, TOWNSHIP 78 NORTH, RANGE 28 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES AS SHOWN IN BOOK 4, PAGE 230, IN THE OFFICE OF THE RECORDER OF DALLAS COUNTY, IOWA, EXCEPT THE EAST 198 FEET OF SAID LOT D.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

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

SECTION 5. 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 6. 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 _____, 2020

_____
Steven K. Gaer, Mayor

ATTEST:

_____
Ryan T. Jacobson
City Clerk

I certify that he foregoing was published as Ordinance No. _____ on the _____ day of ___
_____, 2020.

_____
Ryan T. Jacobson
City Clerk