NO CHANGES FROM PREVIOUS READING

CITY OF WEST DES MOINES
STAFF REPORT COMMUNICATION

Meeting Date: March 21, 2022

ITEM: Stonewood, NE corner of Booneville Road & future S Grand Prairie Pkwy – Amend the Zoning Map to establish Single-Family and Medium Density Residential land use and zoning – Stonewood, Inc. – CPA-005102-2021/ZC-005103-2021

ORDINANCE: Approval of Second Reading, Waive Third Reading and Adopt Consistency Zoning

Background: Ed Arp with Civil Engineering Consultants, on behalf of the applicant and property owner, Stonewood Inc., (fka: Westwoods, LLC), requests approval of a Comprehensive Plan Land Use Map Amendment and Rezoning Request on that ground generally located at the northeast corner of Booneville Road and future S Grand Prairie Parkway. Specifically, the following Land Use and Zoning changes are proposed with this request:

- Amend the Comprehensive Plan Land Use Map for the approximately 53.49 acres to change from Office (OF) to Single Family Residential (SF) land use; and
- Amend the Comprehensive Plan Land Use Map for the approximately 8.14 acres to change from Office (OF) to Medium Density Residential (MD) land use; and
- Amend the Zoning Map to designate Residential Single-Family (RS-30) Zoning District on approximately 44.35 acres consistent with the proposed Comprehensive Plan Land Use designation, and
- Amend the Zoning Map to designate Residential Single-Family (RS-14) Zoning District on approximately 9.14 acres consistent with the proposed Comprehensive Plan Land Use designation.
- Amend the Zoning Map to designate Residential Medium Density (RM-8) Zoning District on approximately 8.14 acres consistent with the proposed Comprehensive Plan Land Use designation.

Staff Review & Comment:

- *Financial Impact:* There is no direct funding of this project; however, as part of improvements for the Microsoft Ginger West project, the City is constructing S Grand Prairie Parkway along the western boundary and reconstructing Booneville Road along the south boundary of the subject property.

- *Anticipated Development:* The requested actions are in preparation of development of the site for forty (40) single family lots for detached dwellings. Of the forty (40) lots, twenty-six (26) will be a minimum of 30,000 sf in size and the remaining fourteen (14) will be a minimum of 14,000 sf in size. In the future, a multi-family project will be developed on the northern approximately 8-acres. It is unknown at this time as to what type of dwellings will be constructed (attached or detached townhomes or rowhouses or small apartment buildings).

- *History*: The acquisition of right-of-way for S Grand Prairie Parkway through the far northern portion of the original Stonewood development property resulted in an approximately 7-acre triangular piece of ground orphaned from the balance of the Stonewood property. Additionally, the right-of-way acquisition through two (2) original 40-acre parcels (W & G McKinney ground) resulted in a narrow sliver of land orphaned on the east side of proposed Grand Prairie Parkway. The property owners agreed to a land swap to allow for contiguous ownership of the orphaned parcels. The City Council approved three (3) Plats-of-Survey to accommodate the land swap: Parcel 21-63 (approved on July 19, 2021), Parcel 21-149 & Parcel 21-150 (approved on February 7, 2022).

- *Developer Responsibilities:* In conjunction with site development and platting of the lots, unless otherwise provided in a development agreement with the city, the developer will be responsible for construction and/or installation of all required public and private infrastructure improvements necessary to support development within the property. The following items are known improvements in response to city projects in the area:

  - Street Improvements:
    - *S Grand Prairie Parkway & Booneville Road*: The City is undertaking the construction of S Grand Prairie Parkway along the western boundary of the property and the reconstruction of Booneville Road along the south boundary. As part of the agreements in the acquisition of street right-of-way, the City acknowledges that the developer has no financial obligation towards S Grand Prairie Parkway or Booneville Road, now or in the future, unless a traffic impact study for a change in the proposed development identifies a nexus.
    - *Thorne Drive*: The interim configuration of Thorne Drive as a 2-lane roadway is acceptable at this time; however, widening to a 3-lane section to accommodate a 75' westbound turn lane should occur at such time that S Grand Prairie Parkway is widened.
  - Future Traffic Signals: City practice to date has been that residential developments adjacent to a signalized intersection do not contribute financially to signalization.

- *Traffic Analysis Findings:* The September 3, 2021 traffic analysis identified that the planned residential land use will generate less traffic than originally planned. It was noted in the study that due to the classification as a major arterial, no driveways for individual single-family lots are allowed along S Grand Prairie Parkway. Additionally, due to the classification as a major collector, any new driveways off of Booneville Road must be designed to allow drivers to exit via a forward movement: no backing out onto Booneville Road is allowed. Finally, the traffic analysis includes minimum distance from intersection criteria for the location of cluster (mail) box units (CBUs) within the development. These restrictions and recommendations will be incorporated into the subsequent Preliminary Plat design.

Outstanding Issues: There are no outstanding issues. Staff would note that subsequent to the Plan and Zoning Commission meeting the included email correspondence was received from W&G McKinney Farm West. This Stonewood Comprehensive Plan and Zoning Request does not involve any of the McKinney ground and no changes to the land use and zoning designated for that property is proposed.

Plan and Zoning Commission Action:

Date:	February 28, 2022
Vote:	7-0 for Approval
Recommendation:	Approval of Comprehensive Plan Land Use Map Amendment and Approval of Rezoning to Consistency Zone property

City Council Comprehensive Plan Amendment:

Date:	March 7, 2022
Vote:	5-0 for Approval

City Council Rezoning First Reading:

Date:	March 7, 2022
Vote:	5-0 for Approval

At the March 7th meeting, three (3) neighbors to the area proposed for Medium-density zoning requested that it not be zoned until a discussion about what would be constructed and according to what setbacks and other regulations were determined. It was explained that what they are requesting are site plan aspects and details of physical development of the site are not known at this time. Contact information for the individuals was obtained and they will be contacted when plat or site plan applications are submitted for the Medium-density ground.

Recommendation: Approve the Rezoning request to establish Residential Single-Family (RS-14 and R-30) and Residential Medium-density (RM-8), subject to the applicant meeting all City Code requirements.

Lead Staff Member: Lynne Twedt

Approval Meeting Dates:

Plan and Zoning Commission	February 28, 2022
City Council: First Reading	March 7, 2022
City Council: Second Reading, Waive Third & Adopt	March 21, 2022

Staff Report Reviews:

Plan & Zoning Commission	☒ Development Coordinator (or) ☐ Director	☒ Legal Department
City Council	☒ Director ☐ Appropriations/Finance	☒ Legal Department ☑ Agenda Acceptance

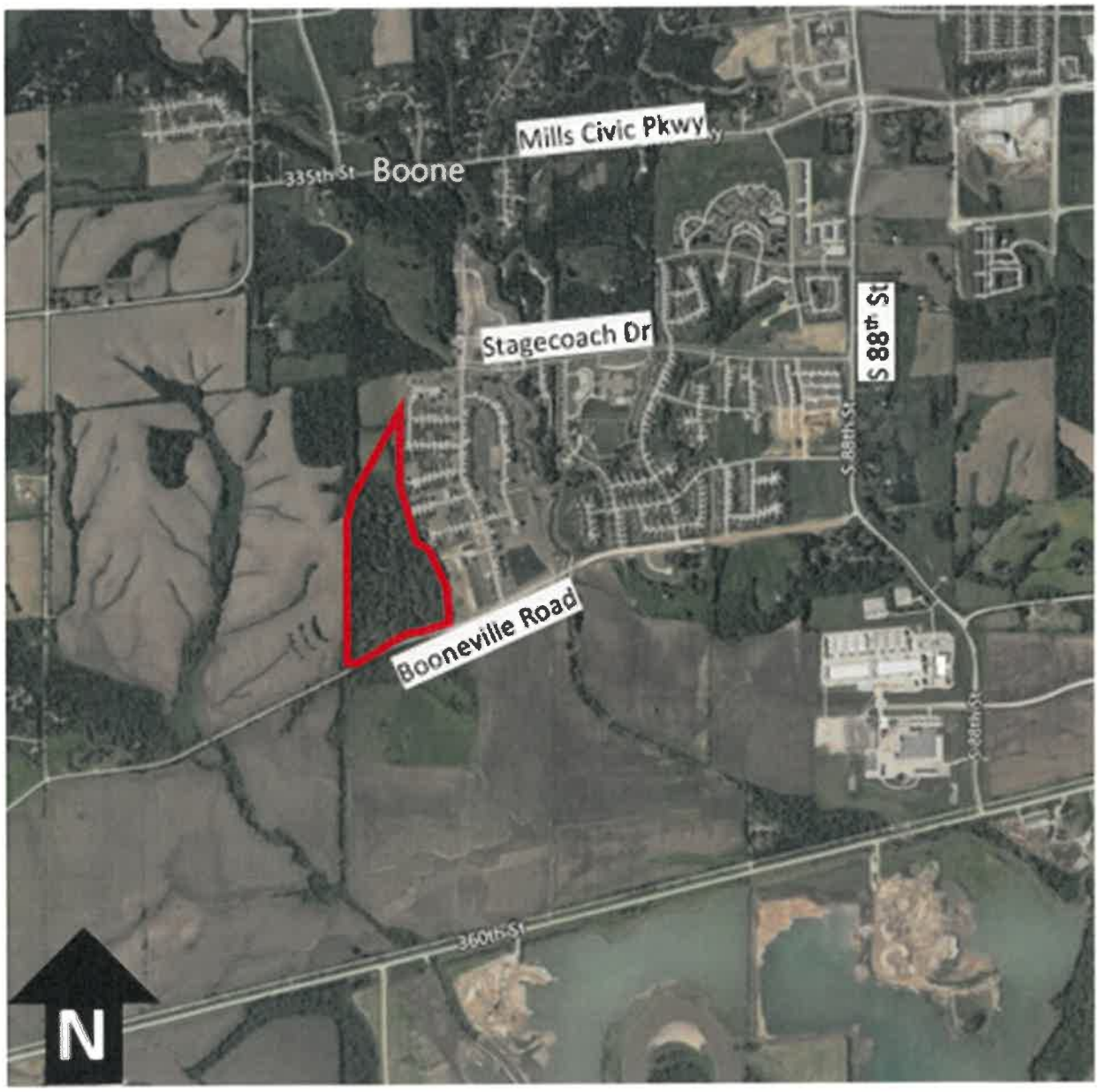
Publications (if applicable)

Published In:	Des Moines Register Community Section
Date(s) Published	2/18/22
Date(s) of Mailed Notices	2/17/22

Council Subcommittee Review (if applicable)

Subcommittee	Development & Planning
Date Reviewed	February 21, 2022
Recommendation	☒ Yes ☐ No ☐ Split

Location Map



Email Correspondence Received March 2, 2022

To: West Des Moines City Council
From: W&G McKinney West Farm LC
Date: March 3rd, 2022
RE: Stonewood's Application to Amend Current Comprehensive Plan

Stonewood, applicant to amend its Comprehensive Plan, is located directly East of new Grand Prairie Parkway and North of Booneville Road. W&G McKinney West Farm LC is directly West of new Grand Prairie Parkway, both North and South of Booneville Road.

It is the position of W&G McKinney West Farm LC that the current Comprehensive Plan for W&G McKinney West Farm LC that was adopted in 2010 at the time W&G McKinney West Farm LC was annexed into the City of West Des Moines be continued as is, notwithstanding the application from Stonewood to amend its current Comprehensive Plan.

Thank you in advance for your attention to this matter.

Wayne H. McKinney Jr.
Manager for W&G McKinney West Farm LC

11375 Booneville Road
West Des Moines, IA 50266

A RESOLUTION OF THE PLAN AND ZONING COMMISSION
NO. PZC-22-009

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the applicant and property owner, Westwoods, LLC, request approval for a Comprehensive Plan Land Use Map Amendment for property generally located at the northeast corner of Booneville Road and future S Grand Prairie Parkway as depicted on the Comprehensive Plan Land Use Map Change Illustration included in the staff report to change the land use designation as follows:

- for approximately 53.49 acres to change from Office (OF) to Single Family Residential (SF) land use; and
- for approximately 8.14 acres to change from Office (OF) to Medium Density Residential (MD) land use; and

WHEREAS, the comprehensive plan amendment complies with the applicable provisions of Iowa Code Chapter 414 and City Code.

NOW, THEREFORE, the Plan and Zoning Commission of the City of West Des Moines recommends that City Council approve the Comprehensive Plan Land Use Map Amendment, (CPA-005102-2021) subject to compliance with all the conditions of approval as stated in the staff report, including conditions added at the meeting, and attached hereto as Exhibit "A", if applicable.

PASSED AND ADOPTED on February 28, 2022.

Erica Andersen

Erica Andersen, Chair
Plan and Zoning Commission

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 February 28, 2022, by the following vote:

AYES: Andersen, Conlin, Costa, Crowley, Davis, Drake, Hatfield
NAYS:
ABSTENTIONS:
ABSENT:

ATTEST:
Jennifer Crawley
Recording Secretary

A RESOLUTION OF THE PLAN AND ZONING COMMISSION
NO. PZC-22-010

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the applicant and property owner, Westwoods, LLC, request approval for a Zoning Map Amendment for property generally located at the northeast corner of Booneville Road and future S Grand Prairie Parkway as depicted on the Consistency Zoning Illustration included in the staff report to change the zoning designation as follows:

- Amend the Zoning Map to designate Residential Single Family (RS-30) Zoning District on approximately 44.35 acres consistent with the Comprehensive Plan Land Use designation, and
- Amend the Zoning Map to designate Residential Single Family (RS-14) Zoning District on approximately 9.14 acres consistent with the Comprehensive Plan Land Use designation, and
- Amend the Zoning Map to designate Residential Medium Density (RM-8) Zoning District on approximately 8.14 acres consistent with the Comprehensive Plan Land Use designation, and

WHEREAS, the Rezoning request complies with the applicable provisions of Iowa Code Chapter 414, the Comprehensive Plan and City Code.

NOW, THEREFORE, the Plan and Zoning Commission of the City of West Des Moines recommends that City Council approve the Rezoning request, (ZC-005103-2021) subject to compliance with all the conditions of approval as stated in the staff report, including conditions added at the meeting, and attached hereto as Exhibit "A", if applicable.

PASSED AND ADOPTED on February 28, 2022.

Erica Andersen

Erica Andersen, Chair
Plan and Zoning Commission

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 February 28, 2022, by the following vote:

AYES: Anderesn, Conlin, Costa, Crowley, Davis, Drake, Hatfield

NAYS:

ABSTENTIONS:

ABSENT:

ATTEST: Jennifer Canaday

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

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, APPROVING A COMPREHENSIVE PLAN LAND USE AMENDMENT TO ESTABLISH SINGLE FAMILY AND MEDIUM DENSITY RESIDENTIAL LAND USE

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the applicant and property owner, Stonewood Inc., request approval of a Comprehensive Plan Land Use Map Amendment to change the land use designation from Office (OF) to Single Family Residential (SF) and from Office (OF) to Medium Density Residential (RM) on the ground legally described in attached Exhibit 'B' and as indicated on the attached Comprehensive Plan Land Use Map Change Illustration; 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, the Comprehensive Plan Land Use Map Amendment complies with applicable provisions of Iowa Code Chapter 414 and City Code; and

WHEREAS, on February 28, 2022, the Plan and Zoning Commission did recommend to the City Council, by a 7-0 vote, approval of the Comprehensive Plan Land Use Map Amendment; and

WHEREAS, on this day this City Council held a duly noticed Public Hearing to consider the application for Comprehensive Plan Land Use Map Amendment.

NOW, THEREFORE, The City Council hereby approves the Comprehensive Plan Land Use Map Amendment (CPA-005102 -2021) shown on attached Comprehensive Plan Land Use Map Change Illustration, subject to compliance with all the conditions in the staff report, dated March 7, 2022, including conditions added at the meeting, and attached hereto as Exhibit " A". Violation(s) of any such condition(s) shall be grounds for revocation of the entitlement, as well as any other remedy which is available to the City.

PASSED AND ADOPTED on March 7, 2022.

Russ Trimble, Mayor

COUNCIL ACTION	YEAS	NAYS	ABST.	ABSI
TREVILLYAN	✓			
HUDSON	✓			
LOOTS	✓			
HARDMAN	✓			
MCKINNEY	✓			
MOTION BY	Loots			
SECOND BY:	Hudson			
ROLL CALL #	22-086			

ATTEST:

Ryan Jacobson, City Clerk

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of West Des Moines, Iowa, at a regular meeting held on March 7, 2022, by the indicated vote.

Exhibit A: Conditions of Approval

1. No Conditions of Approval

Exhibit B: Legal Description

Single Family Residential:

A PARCEL OF LAND IN PARCEL 'A' OF THE E1/2 NE1/4 & NE1/4 SE1/4, AN OFFICIAL PARCEL RECORDED IN BOOK 809, PAGE 334 AT THE DALLAS COUNTY RECORDER'S OFFICE AND PART OF THE W1/2 NE1/4 & W1/2 SE1/4, ALL IN SECTION 21, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE NE CORNER OF SAID PARCEL 'A'; THENCE S00°49'58"W, 353.01 FEET ALONG THE EAST LINE OF SAID PARCEL 'A' TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF GRAND PRAIRIE PARKWAY AS IT IS PRESENTLY ESTABLISHED AND RECORDED IN BOOK 2021, PAGE 21332 AT THE DALLAS COUNTY RECORDER'S OFFICE; THENCE CONTINUING S00°49'58"W, 971.08 FEET ALONG SAID EAST LINE TO A POINT; THENCE S15°13'26"E, 772.02 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING; THENCE CONTINUING S15°13'26"E, 35.14 FEET ALONG SAID EAST LINE TO A POINT; THENCE S48°11'58"E, 281.82 FEET ALONG SAID EAST LINE TO A POINT; THENCE S25°26'06"E, 455.71 FEET ALONG SAID EAST LINE TO A POINT; THENCE S06°28'55"E, 548.59 FEET ALONG SAID EAST LINE TO THE SE CORNER OF SAID PARCEL 'A', SAID SE CORNER ALSO BEING ON THE NORTH RIGHT-OF-WAY LINE OF BOONEVILLE ROAD AS IT IS PRESENTLY ESTABLISHED; THENCE S72°28'11"W, 274.94 FEET ALONG THE SOUTH LINE OF SAID PARCEL 'A' AND SAID NORTH RIGHT-OF-WAY LINE TO A POINT; THENCE S72°04'30"W, 200.45 FEET ALONG SAID SOUTH LINE TO A POINT; THENCE N88°36'58"W, 109.00 FEET ALONG SAID SOUTH LINE TO A POINT; THENCE S70°06'46"W, 210.06 FEET ALONG SAID SOUTH LINE TO A POINT; THENCE S54°13'35"W, 307.51 FEET ALONG SAID SOUTH LINE TO A POINT; THENCE S62°20'13"W, 199.46 FEET ALONG SAID SOUTH LINE TO A POINT; THENCE WESTERLY ALONG A

CURVE TO THE RIGHT HAVING A RADIUS OF 5680.00 FEET AND A CHORD BEARING S62°41'08"W, AN ARC LENGTH OF 104.78 FEET ALONG SAID SOUTH LINE TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID BOONEVILLE ROAD AS IT IS PRESENTLY ESTABLISHED IN BOOK 2021, PAGE 2551 AT THE DALLAS COUNTY RECORDER'S OFFICE; THENCE S79°56'05"W, 29.73 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE TO A POINT ON SAID EAST RIGHT-OF-WAY LINE OF GRAND PRAIRIE PARKWAY; THENCE N76°54'36"W, 125.46 FEET ALONG SAID EAST RIGHT-OF-WAY LINE TO A POINT; THENCE N00°32'37"E, 1589.22 FEET ALONG SAID EAST RIGHT-OF-WAY LINE TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1917.50 FEET AND A CHORD BEARING N03°17'45"E, AN ARC LENGTH OF 184.21 FEET ALONG SAID EAST RIGHT-OF-WAY LINE TO A POINT; THENCE S88°35'28"E, 781.63 FEET TO A POINT; THENCE S66°04'05"E, 159.81 FEET TO THE POINT OF BEGINNING AND CONTAINING 44.35 ACRES MORE OR LESS

AND

A PARCEL OF LAND IN PARCEL 'A' OF THE E1/2 NE1/4 & NE1/4 SE1/4, AN OFFICIAL PARCEL RECORDED IN BOOK 809, PAGE 334 AT THE DALLAS COUNTY RECORDER'S OFFICE AND PART OF THE W1/2 NE1/4 & W1/2 SE1/4, ALL IN SECTION 21, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE NE CORNER OF SAID PARCEL 'A'; THENCE S00°49'58"W, 353.01 FEET ALONG THE EAST LINE OF SAID PARCEL 'A' TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF GRAND PRAIRIE PARKWAY AS IT IS PRESENTLY ESTABLISHED AND RECORDED IN BOOK 2021, PAGE 21332 AT THE DALLAS COUNTY RECORDER'S OFFICE; THENCE CONTINUING S00°49'58"W, 971.08 FEET ALONG SAID EAST LINE TO A POINT; THENCE S15°13'26"E, 310.02 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING; THENCE CONTINUING S15°13'26"E, 462.00 FEET ALONG SAID EAST LINE; THENCE N66°04'05"W, 159.81 FEET TO A POINT; THENCE N88°35'28"W, 781.63 FEET TO A POINT ON SAID EAST RIGHT-OF-WAY LINE OF GRAND PRAIRIE PARKWAY; THENCE NORTHEASTERLY ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1917.50 FEET AND A CHORD BEARING N14°22'54"E, AN ARC LENGTH OF 557.82 FEET ALONG SAID EAST RIGHT-OF-WAY LINE TO A POINT; THENCE S67°17'04"E, 101.70 FEET TO A POINT; THENCE N78°01'34"E, 261.27 FEET TO A POINT; THENCE S48°49'44"E, 223.80 FEET TO A POINT; THENCE S73°34'24"E, 156.63 FEET TO THE POINT OF BEGINNING AND CONTAINING 9.14 ACRES MORE OR LESS

AND

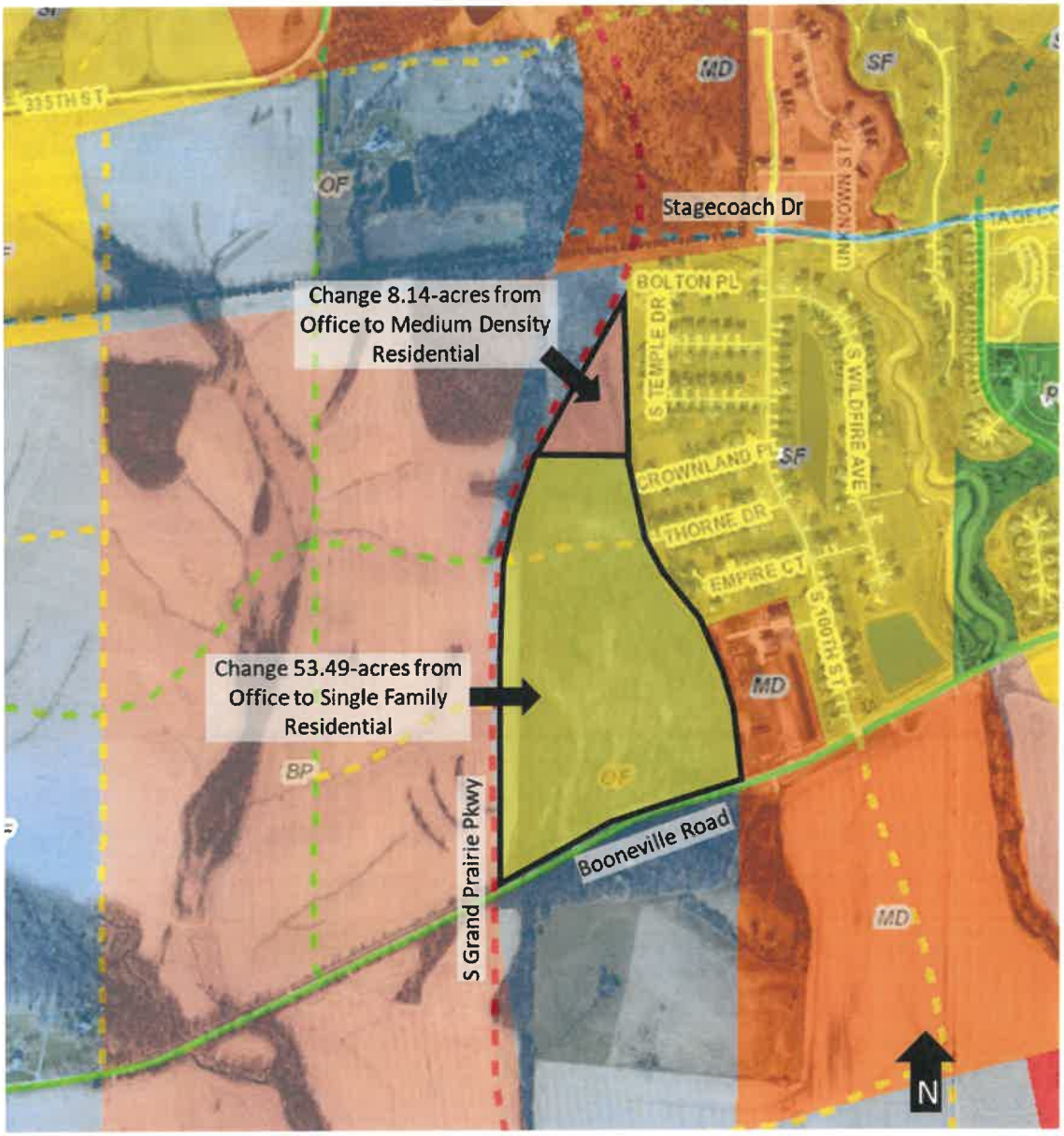
Medium Density Residential:

A PARCEL OF LAND IN PARCEL 'A' OF THE E1/2 NE1/4 & NE1/4 SE1/4, AN OFFICIAL PARCEL RECORDED IN BOOK 809, PAGE 334 AT THE DALLAS COUNTY RECORDER'S OFFICE, OF SECTION 21, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE NE CORNER OF SAID PARCEL 'A'; THENCE S00°49'58"W, 353.01 FEET ALONG THE EAST LINE OF SAID PARCEL 'A' TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF GRAND PRAIRIE PARKWAY AS IT IS

PRESENTLY ESTABLISHED AND RECORDED IN BOOK 2021, PAGE 21332 AT THE DALLAS COUNTY RECORDER'S OFFICE AND THE POINT OF BEGINNING; THENCE CONTINUING S00°49'58"W, 971.08 FEET ALONG SAID EAST LINE TO A POINT; THENCE S15°13'26"E, 310.02 FEET ALONG SAID EAST LINE TO A POINT; THENCE N73°34'24"W, 156.63 FEET TO A POINT; THENCE N48°49'44"W, 223.80 FEET TO A POINT; THENCE S78°01'34"W, 261.27 FEET TO A POINT; THENCE N67°17'04"W, 101.70 FEET TO A POINT ON SAID EAST RIGHT-OF-WAY LINE OF GRAND PRAIRIE PARKWAY; THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1917.50 FEET AND A CHORD BEARING N26°38'03"E, AN ARC LENGTH OF 262.29 FEET ALONG SAID EAST RIGHT-OF-WAY LINE TO A POINT OF TANGENCY; THENCE N30°33'10"E, 686.89 FEET ALONG SAID EAST RIGHT-OF-WAY LINE TO A POINT OF CURVATURE; THENCE NORTHERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2182.50 FEET AND A CHORD BEARING N26°37'13"E, AN ARC LENGTH OF 299.61 FEET ALONG SAID EAST RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING AND CONTAINING 8.14 ACRES MORE OR LESS

Comprehensive Plan Land Use Map Change Illustration



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

ORDINANCE #

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WEST DES MOINES, IOWA, 2019, BY AMENDING TITLE 9, ZONING, CHAPTER 4, ZONING DISTRICTS AND MAPS

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 designating 44.35 acres to the Residential Single Family (RS-30) Zoning District, 9.14 acres to Residential Single Family (RS-14) Zoning District and 8.14 acres to Residential Medium Density (RM-8) Zoning District consistent with the adopted Comprehensive Plan Land Use Map as amended, on that property legally described in attached Exhibit "B" and shown on the attached Zoning Map Illustration:

Section 2. REPEALER. All ordinances of 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 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 of the City Code of the City of West Des Moines, Iowa.

Section 5. OTHER REMEDIES. In addition to the provisions set out in 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.

Passed by the City Council on the _____ day of _____, 2022 and approved this _____ day of _____, 2022.

_____
Russ Trimble, Mayor

ATTEST:

_____
Ryan Jacobson, City Clerk

The foregoing Ordinance No. _____ was adopted by the Council for the City of West Des Moines, Iowa, on _____, 2022, and was published in the Des Moines Register on _____ , 2022.

_____
Ryan T. Jacobson
City Clerk

Legal Description

Residential Single Family (RS-30):

A PARCEL OF LAND IN PARCEL 'A' OF THE E1/2 NE1/4 & NE1/4 SE1/4, AN OFFICIAL PARCEL RECORDED IN BOOK 809, PAGE 334 AT THE DALLAS COUNTY RECORDER'S OFFICE AND PART OF THE W1/2 NE1/4 & W1/2 SE1/4, ALL IN SECTION 21, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE NE CORNER OF SAID PARCEL 'A'; THENCE S00°49'58"W, 353.01 FEET ALONG THE EAST LINE OF SAID PARCEL 'A' TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF GRAND PRAIRIE PARKWAY AS IT IS PRESENTLY ESTABLISHED AND RECORDED IN BOOK 2021, PAGE 21332 AT THE DALLAS COUNTY RECORDER'S OFFICE; THENCE CONTINUING S00°49'58"W, 971.08 FEET ALONG SAID EAST LINE TO A POINT; THENCE S15°13'26"E, 772.02 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING; THENCE CONTINUING S15°13'26"E, 35.14 FEET ALONG SAID EAST LINE TO A POINT; THENCE S48°11'58"E, 281.82 FEET ALONG SAID EAST LINE TO A POINT; THENCE S25°26'06"E, 455.71 FEET ALONG SAID EAST LINE TO A POINT; THENCE S06°28'55"E, 548.59 FEET ALONG SAID EAST LINE TO THE SE CORNER OF SAID PARCEL 'A', SAID SE CORNER ALSO BEING ON THE NORTH RIGHT-OF-WAY LINE OF BOONEVILLE ROAD AS IT IS PRESENTLY ESTABLISHED; THENCE S72°28'11"W, 274.94 FEET ALONG THE SOUTH LINE OF SAID PARCEL 'A' AND SAID NORTH RIGHT-OF-WAY LINE TO A POINT; THENCE S72°04'30"W, 200.45 FEET ALONG SAID SOUTH LINE TO A POINT; THENCE N88°36'58"W, 109.00 FEET ALONG SAID SOUTH LINE TO A POINT;

THENCE S70°06'46"W, 210.06 FEET ALONG SAID SOUTH LINE TO A POINT; THENCE S54°13'35"W, 307.51 FEET ALONG SAID SOUTH LINE TO A POINT; THENCE S62°20'13"W, 199.46 FEET ALONG SAID SOUTH LINE TO A POINT; THENCE WESTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 5680.00 FEET AND A CHORD BEARING S62°41'08"W, AN ARC LENGTH OF 104.78 FEET ALONG SAID SOUTH LINE TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID BOONEVILLE ROAD AS IT IS PRESENTLY ESTABLISHED IN BOOK 2021, PAGE 2551 AT THE DALLAS COUNTY RECORDER'S OFFICE; THENCE S79°56'05"W, 29.73 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE TO A POINT ON SAID EAST RIGHT-OF-WAY LINE OF GRAND PRAIRIE PARKWAY; THENCE N76°54'36"W, 125.46 FEET ALONG SAID EAST RIGHT-OF-WAY LINE TO A POINT; THENCE N00°32'37"E, 1589.22 FEET ALONG SAID EAST RIGHT-OF-WAY LINE TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1917.50 FEET AND A CHORD BEARING N03°17'45"E, AN ARC LENGTH OF 184.21 FEET ALONG SAID EAST RIGHT-OF-WAY LINE TO A POINT; THENCE S88°35'28"E, 781.63 FEET TO A POINT; THENCE S66°04'05"E, 159.81 FEET TO THE POINT OF BEGINNING AND CONTAINING 44.35 ACRES MORE OR LESS

AND

Residential Single Family (RS-14):

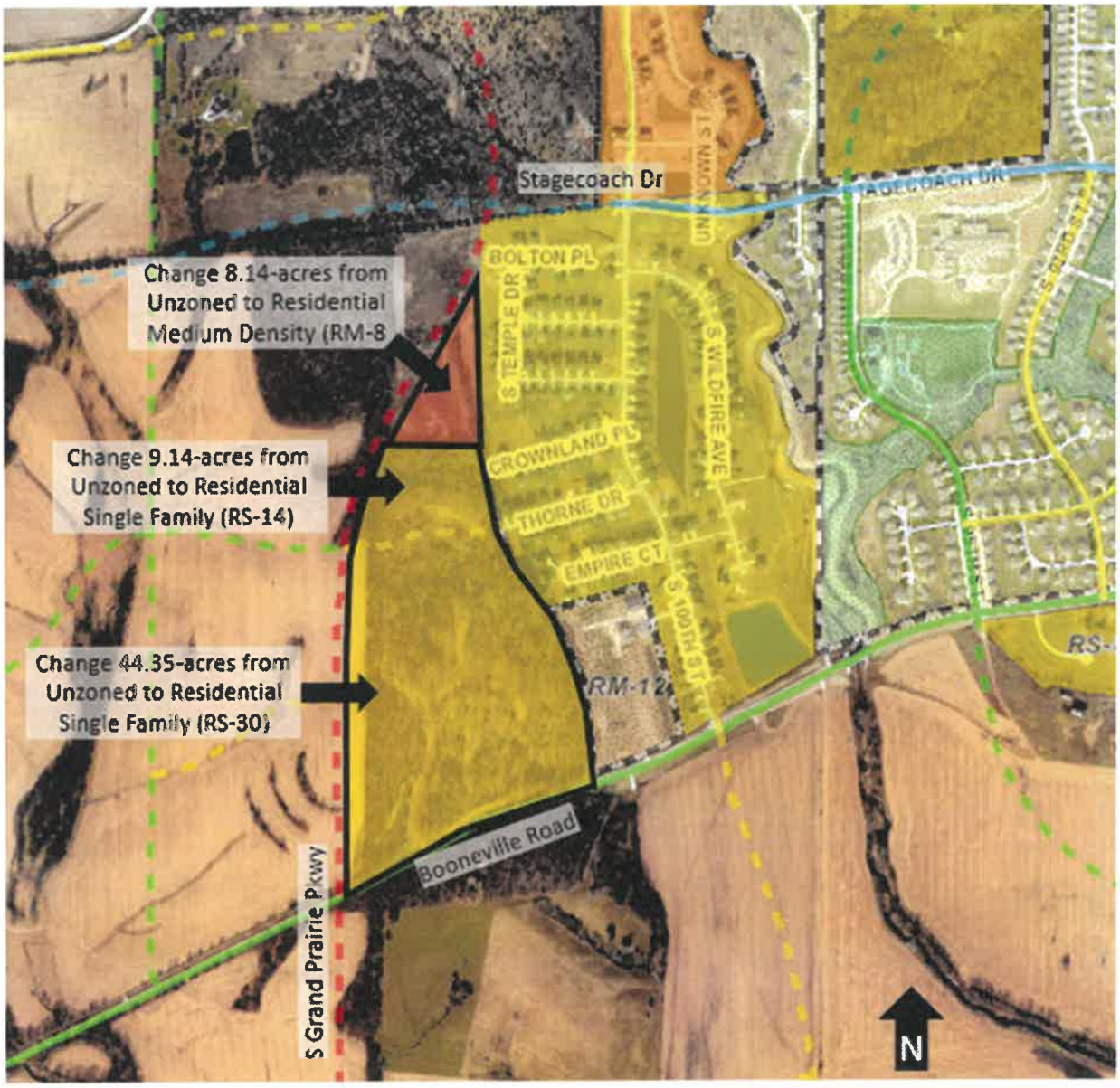
A PARCEL OF LAND IN PARCEL 'A' OF THE E1/2 NE1/4 & NE1/4 SE1/4, AN OFFICIAL PARCEL RECORDED IN BOOK 809, PAGE 334 AT THE DALLAS COUNTY RECORDER'S OFFICE AND PART OF THE W1/2 NE1/4 & W1/2 SE1/4, ALL IN SECTION 21, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE NE CORNER OF SAID PARCEL 'A'; THENCE S00°49'58"W, 353.01 FEET ALONG THE EAST LINE OF SAID PARCEL 'A' TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF GRAND PRAIRIE PARKWAY AS IT IS PRESENTLY ESTABLISHED AND RECORDED IN BOOK 2021, PAGE 21332 AT THE DALLAS COUNTY RECORDER'S OFFICE; THENCE CONTINUING S00°49'58"W, 971.08 FEET ALONG SAID EAST LINE TO A POINT; THENCE S15°13'26"E, 310.02 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING; THENCE CONTINUING S15°13'26"E, 462.00 FEET ALONG SAID EAST LINE; THENCE N66°04'05"W, 159.81 FEET TO A POINT; THENCE N88°35'28"W, 781.63 FEET TO A POINT ON SAID EAST RIGHT-OF-WAY LINE OF GRAND PRAIRIE PARKWAY; THENCE NORTHEASTERLY ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1917.50 FEET AND A CHORD BEARING N14°22'54"E, AN ARC LENGTH OF 557.82 FEET ALONG SAID EAST RIGHT-OF-WAY LINE TO A POINT; THENCE S67°17'04"E, 101.70 FEET TO A POINT; THENCE N78°01'34"E, 261.27 FEET TO A POINT; THENCE S48°49'44"E, 223.80 FEET TO A POINT; THENCE S73°34'24"E, 156.63 FEET TO THE POINT OF BEGINNING AND CONTAINING 9.14 ACRES MORE OR LESS

AND

Residential Medium Density (RM-8):

A PARCEL OF LAND IN PARCEL 'A' OF THE E1/2 NE1/4 & NE1/4 SE1/4, AN OFFICIAL PARCEL RECORDED IN BOOK 809, PAGE 334 AT THE DALLAS COUNTY RECORDER'S OFFICE, OF SECTION 21, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE NE CORNER OF SAID PARCEL 'A'; THENCE S00°49'58"W, 353.01 FEET ALONG THE EAST LINE OF SAID PARCEL 'A' TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF GRAND PRAIRIE PARKWAY AS IT IS PRESENTLY ESTABLISHED AND RECORDED IN BOOK 2021, PAGE 21332 AT THE DALLAS COUNTY RECORDER'S OFFICE AND THE POINT OF BEGINNING; THENCE CONTINUING S00°49'58"W, 971.08 FEET ALONG SAID EAST LINE TO A POINT; THENCE S15°13'26"E, 310.02 FEET ALONG SAID EAST LINE TO A POINT; THENCE N73°34'24"W, 156.63 FEET TO A POINT; THENCE N48°49'44"W, 223.80 FEET TO A POINT; THENCE S78°01'34"W, 261.27 FEET TO A POINT; THENCE N67°17'04"W, 101.70 FEET TO A POINT ON SAID EAST RIGHT-OF-WAY LINE OF GRAND PRAIRIE PARKWAY; THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1917.50 FEET AND A CHORD BEARING N26°38'03"E, AN ARC LENGTH OF 262.29 FEET ALONG SAID EAST RIGHT-OF-WAY LINE TO A POINT OF TANGENCY; THENCE N30°33'10"E, 686.89 FEET ALONG SAID EAST RIGHT-OF-WAY LINE TO A POINT OF CURVATURE; THENCE NORTHERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2182.50 FEET AND A CHORD BEARING N26°37'13"E, AN ARC LENGTH OF 299.61 FEET ALONG SAID EAST RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING AND CONTAINING 8.14 ACRES MORE OR LESS

Consistency Zoning Illustration