

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

Meeting Date: November 25, 2019

Item: Comprehensive Plan Amendment and Zone Change, 1913 Grand Avenue – Change the Comprehensive Plan Land Use Map from Single Family Residential to Office land use designation and change the zoning designation from Residential Single Family (R-1) to Office (OF) – Mark Shrum – CPA-004526-2019/ZC-004527-2019 (Continued from November 11, 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: Mark Shrum is seeking approval of an amendment to the Comprehensive Plan Land Use Map to change the land use designation of the property located at 1913 Grand Avenue from Single Family Residential to Office (see Attachment A, Exhibit A – Land Use Sketch) and to amend the zoning map designation for this property from Residential Single Family (R-1) to Office (see Attachment B, Exhibit B - Zoning Sketch) to enable the property to be used as an office.

History: On November 8, 1995, the City Council approved a land use amendment to change the land use designation to Office for this property and the three properties to the north. The applicant at the time requested the change so that he could use one of the dwellings for his use as an office. During the Consistency Rezoning in 1998, the property was officially zoned to Office from Single Family Residential (R-3). Until recently, the house at 1913 Grand was used as a rental residential dwelling. In 2012, the City Council approved amendments to the land use map and the zoning map to change the designation of this property and the three properties to the north from Office to Single Family Residential in order to be able to rent the previous office noted above, as well as the other properties he owned along Grand (CPA-2012-003/ZC-2012-003) It recently sold to the Shrum's who wish to use it for an office. The other properties to the north are proposed to remain single family residential.

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 Office:* Staff can support this zone change due to the Community Commercial to the South. Planning practice has been to use Office to buffer single family from commercial uses. The lot size is 18,330 sq. ft. which exceeds the minimum lot size requirement of 10,000 sq. ft. for office zoning. The character of the area with the existing residential is compatible with the existing building as a residential building style. No changes are proposed for the building, except to add an accessible ramp.
- *Fence in Lieu of Buffer:* The City Code provides that a residential use be buffered from office and commercial uses. That would mean that either a 30 foot buffer area with landscape would be required on the north and west property line of the site. By measurement, the 30 feet of buffer would overlap the drive and the house as they exist. The code provides the opportunity for the City Council to approve a fence in lieu of a buffer in these locations. Staff supports allowing a fence in lieu of a buffer as the existing site is not proposed to be changed and the impact to the adjacent property is minimal with such a small office. A condition of approval has been added to recommend to the City Council that the fence in lieu of these two buffers be approved.

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 property at 1913 Grand from Single Family Residential to Office 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 Single Family (R-1) to Office (OF) zoning district, 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 29, 2019.

Property Owner: Mark ad Marcy Shrum
5020 Cherrywood Drive
West Des Moines IA 5265

Applicant: Same as Property Owner

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

RESOLUTION NO. PZC₁₉₋₀₇₅

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-004526-2019) FOR THE PURPOSE OF CHANGING THE LAND USE DESIGNATION OF PROPERTY AT 1913 GRAND AVENUE FROM SINGLE FAMILY RESIDENTIAL TO OFFICE LAND USE DESIGNATION

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, Mark Shrum has requested approval of a Comprehensive Plan Land Use Map Amendment for that property legally described below and illustrated on Exhibit A;

Legal Description

Lot 4 Block 3 Ridgway 2nd Subdivision, 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 25, 2019, this Commission held a duly-noticed public hearing to consider the application for Comprehensive Plan Amendment (CPA-004526-2019).

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

PASSED AND ADOPTED on November 25, 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 25, 2019, by the following vote:

AYES:

NAYS:

ABSTENTIONS:

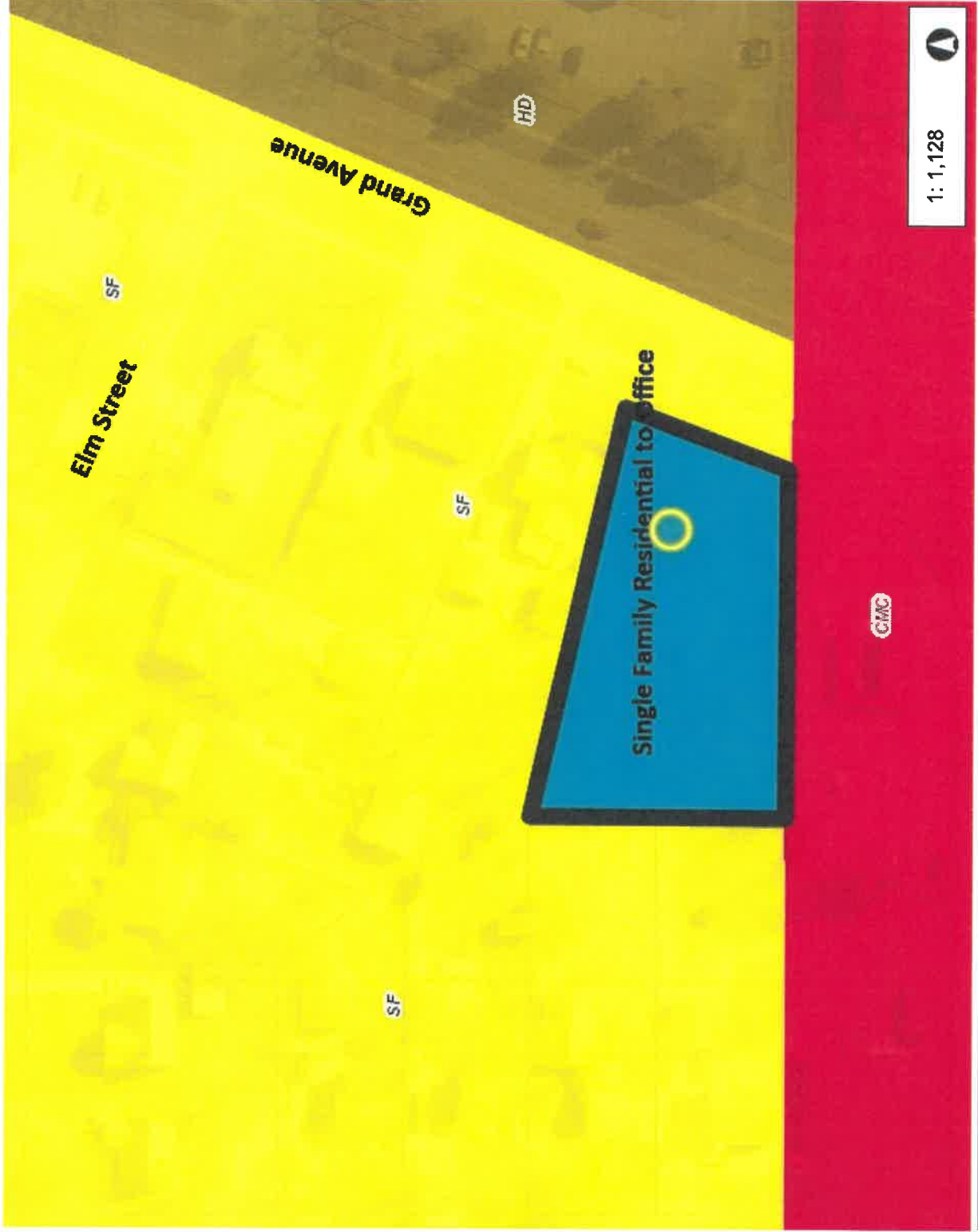
ABSENT:

ATTEST:

Recording Secretary



1913 Grand Avenue Land Use Change



1: 1,128



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
 © City of West Des Moines, Iowa



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 19-076

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-004527-2019) FOR THE PURPOSE OF AMENDING THE ZONING MAP TO CHANGE THE ZONING DESIGNATION OF PROPERTY AT 1913 GRAND AVENUE

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

Legal Description

Lot 4 Block 3 Ridgway 2nd Subdivision, 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 25, 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 25, 2019, or as amended orally at the Plan and Zoning Commission hearing of November 25, 2019, are adopted.

SECTION 2. REZONING REQUEST (ZC-004527-2019) to amend the zoning map, subject to compliance with all the conditions in the staff report, dated November 25, 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 25, 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 25, 2019, by the following vote:

AYES:
NAYS:
ABSTENTIONS:
ABSENT:

ATTEST:

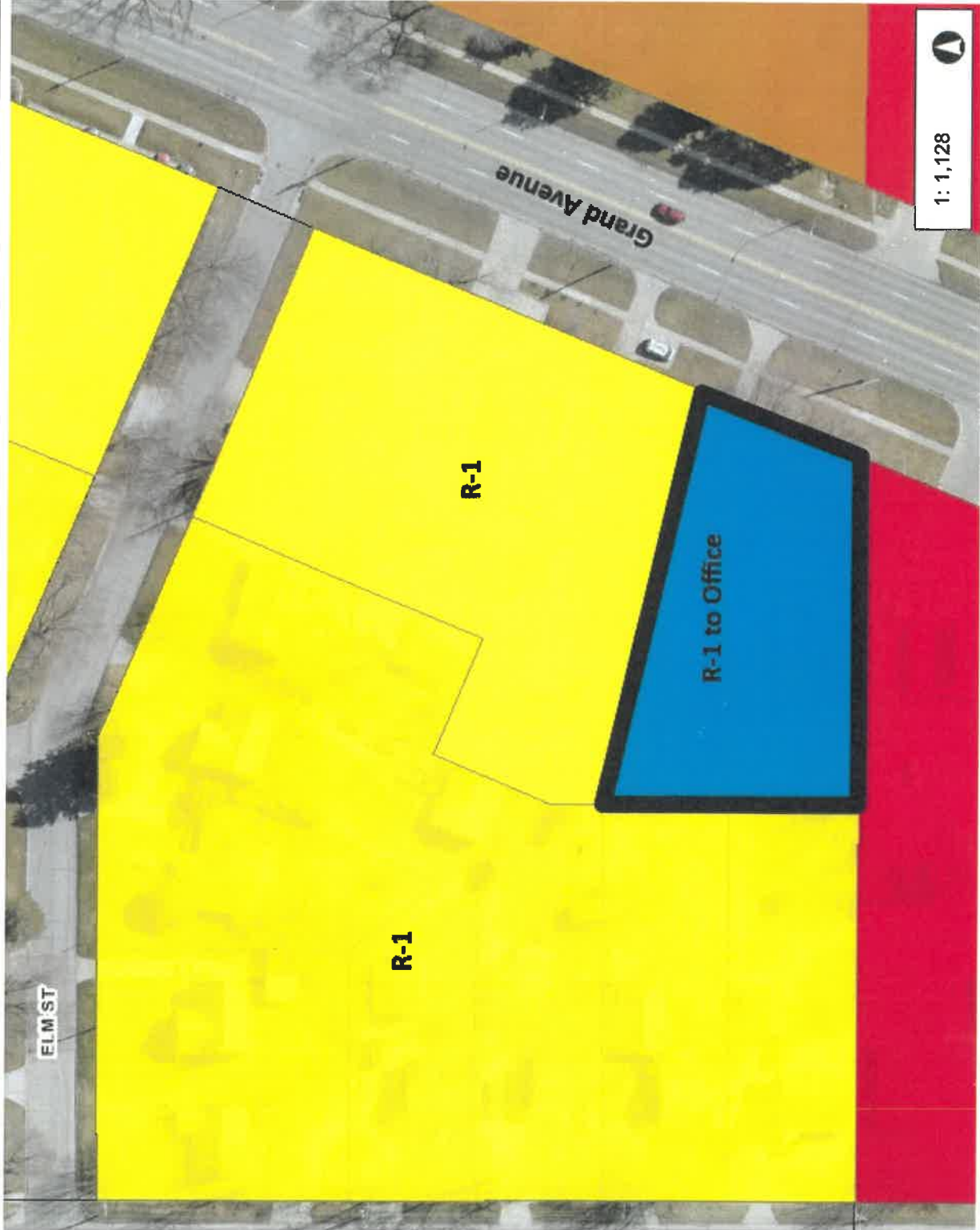
Recording Secretary

Exhibit A
Conditions of Approval

1. That the City Council approve fences in lieu of 30 feet buffers along the north and west property lines.



1913 Zone Change

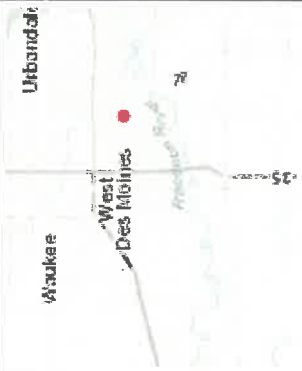


1: 1,128



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



Legend

- 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 (V)
- 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 (VLI)
- Light Industrial (LI)
- General Industrial (GI)
- PUD - Open Space
- PUD - Single Family Residential
- PUD - Medium Density Residential

EXHIBIT B