

May 19, 2014

To: Mayor Bemrich and City Council

From: David Fierke, City Manager

Subject: Request for Zoning Change from Light Industrial (LI) to Single-Family Residential (6RS)



ACTION: Set Public Hearing for June 9, 2014

Brief History

The City recently purchased several parcels from the railroad, as a part of a new well project. The railroad had a set area they were willing to sell, which exceeded the actual area the City needed for the project. Before selling some of the additional property, staff would like to ensure the zoning is consistent with the Land Use Plan and the character of the neighborhood.

All of this previously owned railroad property is currently zoned Light Industrial. The parcel proposed for down-zoning is .77 acres (33,541 square feet). Outside of what this former railroad area, the neighborhood is predominantly residential and zoned 4RS. The Land Use Plan guides for residential for the property in question. A 6RS zoning district is proposed, since the 4RS zoning district provides only for existing residential lots, as it was not intended for re-zoning of additional properties after adoption of the Zoning Ordinance in 1978.

Analysis of Issue

The Land Use Plan guides for residential use of the property in question. It is currently zoned Light Industrial, since it has been owned by the railroad for approximately 100 years. Since the railroad no longer uses the property and sold it to the City, it should now be zoned consistent with the land use plan.

Following this proposed down-zoning, the City may consider selling the property. It may be sold for a new home or be added to the property of an adjacent landowner. Under either scenario, it is possible a driveway access may be requested. Access to this parcel is from 16th Street Southwest. Provided a right of way permit is obtained for the work, the access would likely be permitted. It would have to be paved per the Supplementary District Regulations found in the City's Zoning Ordinance.

A sidewalk is currently present in front of this lot and would be required to remain.

Orderly and logical development patterns are key components to community development. This down-zoning is consistent with the City's Land Use Plan and the character of the neighborhood.

Budget Impact

Requests for changes in land use or zoning do not typically entail any City expenditures.

Strategic Plan Impact

Meets strategic plan policies as identified below.

- Policy D.3.7: Regardless of location on the growth strategy map, new development should occur at densities appropriate for the site. Density factors shall include whether the site is within an environmentally sensitive area, the type of sewage treatment available, the topography and drainage of the site, the capacity of transportation facilities serving the site, the proximity of the site to other existing services, and other relevant factors.
- Policy D.3.28: New or redeveloped commercial properties shall be designed and maintained so as to be compatible with the area in which they are located. Design standards for a large commercial development adjoining a major street may be different than design standards for a smaller commercial property serving a residential area.
- Policy D.6.8: Existing neighborhoods shall be protected from encroachment by incompatible land uses. At the same time, convenient services designed to be compatible with nearby residential uses may be permitted at an appropriate level of design and scale.

Existing Plan Impact

The request will create a consistency in land use and zoning that is not currently present. The proposal is consistent with the Land Use Plan.

Subcommittee or Commission Review / Recommendation

The Plan & Zoning Commission considered the request on July 23, 2013, recommending approval of the rezoning.

Staff Conclusions / Recommendations

Subject to City Council review and comments from the public, the Plan & Zoning Commission and Staff recommend approval of the land use changes for this vacant parcel adjacent to and west of 1226 16th St SW.

Alternatives

The alternative would be to not set the public hearing on the request. This would prevent the rezoning from moving forward and allow a permitted use in the Light Industrial zoning district to develop/utilize the parcel.

Implementation and Accountability

If the Council approves the resolution, a public hearing will be set for June 9, 2014 to further consider the request to change the zoning. If the Council approves the change, the City's official maps will be amended to reflect a Single-Family Residential (6RS) zoning.

Signed



Carissa Miller
Associate Planner
Department of Business Affairs &
Community Growth



Approved

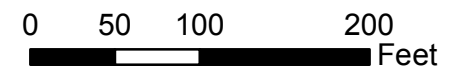
David R. Fierke
City Manager

Proposed Area to Rezone



Case #2102.13: REZONE LI to 6RS -- Single Family Residential

 Parcel to Rezone from LI to 6RS  200 Foot Buffer



RESOLUTION NO. _____

**RESOLUTION PROPOSING A CHANGE TO THE ZONING OF PROPERTY
AND AFFIXING A DATE FOR A PUBLIC HEARING**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT DODGE,
IOWA:

That the City Council of the City of Fort Dodge, Iowa, hereby proposes to change
the zoning from Light Industrial (LI) to Single-Family Residential (6RS) on the
following property located in Webster County, Iowa, and described as follows:

*The south 160 feet of Parcel A, said Parcel described in Book 2014 at Page 00244 of the
records of the Webster County Recorder's Office, Webster County, Iowa as:*

*That part of Block 107, Town Company's Addition to the City of Fort Dodge, Webster
County, Iowa described as:*

*Commencing at the most easterly corner of said Block 107; thence on an assumed
bearing of N57°47'18"W, along the northeasterly line of said Block 107, a distance of
200.00 feet to the POINT OF BEGINNING; thence S32°12'42"W, along the northwesterly
line of the East 100 feet of the West 200 feet of Block 107, a distance of 161.99 feet to the
northeasterly line of the Minneapolis and St Louis Railroad Company (now Union Pacific)
station grounds; thence S30°57'20"E, along said northeasterly line of the station grounds,
224.13 feet to the southeasterly line of said Block 107; thence S32°12'42"W, along the
southeasterly line of said Block 107, a distance of 36.84 feet to the most southerly corner
of said Block 107; thence N57°47'18"W, along the southwesterly line of said Block 107, a
distance of 300.00 feet to the most westerly corner of said Block 107; thence
N32°12'42"E, along the northwesterly line of Block 107, a distance of 300.00 feet to the
most northerly corner of said Block 107; thence S57°47'18"E, along the northeasterly line
of said Block 107, a distance of 100.00 feet to the POINT OF BEGINNING.*

A public hearing will be held on the 9th day of June, 2014, AD, at 6:00 p.m. in the
Council Chambers of the Municipal Building, Fort Dodge, Iowa, at which time the
Council will hear objections to the change in zoning of said property.

The City Clerk is hereby directed to publish notice of said hearing, as by law
required.

Passed and approved by the City Council of the City of Fort Dodge, Iowa, this
27th day of May, 2014, AD.

Ayes: _____

Nays: _____

Other: _____

CITY OF FORT DODGE

BY: _____

Matt Bemrich, Mayor

ATTEST:

Jeff Nemmers, City Clerk

Prepared by Carissa Miller, Bus. Affairs & Comm. Growth, 819 1st Ave. South, Fort Dodge, Iowa 50501,
515-573-8321.

Return to Bus. Affairs & Comm. Growth, 819 1st Ave. South, Fort Dodge, Iowa 50501

ORDINANCE NO. _____

**ORDINANCE PROVIDING FOR A CHANGE IN THE ZONING OF
PROPERTY TO SINGLE-FAMILY RESIDENTIAL (6RS) IN THE CITY OF
FORT DODGE, WEBSTER COUNTY, IOWA.**

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FORT DODGE,
IOWA:

SECTION I. PURPOSE.

That the City Council of the City of Fort Dodge, Iowa, hereby proposes to change the zoning from Light Industrial (LI) to Single-Family Residential (6RS) on the following property located in Webster County, Iowa, and described as follows:

The south 160 feet of Parcel A, said Parcel described in Book 2014 at Page 00244 of the records of the Webster County Recorder's Office, Webster County, Iowa as:

That part of Block 107, Town Company's Addition to the City of Fort Dodge, Webster County, Iowa described as:

Commencing at the most easterly corner of said Block 107; thence on an assumed bearing of N57°47'18"W, along the northeasterly line of said Block 107, a distance of 200.00 feet to the POINT OF BEGINNING; thence S32°12'42"W, along the northwesterly line of the East 100 feet of the West 200 feet of Block 107, a distance of 161.99 feet to the northeasterly line of the Minneapolis and St Louis Railroad Company (now Union Pacific) station grounds; thence S30°57'20"E, along said northeasterly line of the station grounds, 224.13 feet to the southeasterly line of said Block 107; thence S32°12'42"W, along the southeasterly line of said Block 107, a distance of 36.84 feet to the most southerly corner of said Block 107; thence N57°47'18"W, along the southwesterly line of said Block 107, a distance of 300.00 feet to the most westerly corner of said Block 107; thence N32°12'42"E, along the northwesterly line of Block 107, a distance of 300.00 feet to the most northerly corner of said Block 107; thence S57°47'18"E, along the northeasterly line of said Block 107, a distance of 100.00 feet to the POINT OF BEGINNING.

SECTION II.

The City Council of the City of Fort Dodge, Iowa, hereby makes the following findings:

1. That the zoning change will create consistency between the City's Land Use Plan and Official Zoning Map.
2. Permit orderly and consistent site development.
3. That the change in zoning will maintain a consistency with adjacent land uses and adjacent zoning.
4. The zoning changes will not negatively impact the character of the neighborhood.
5. That the Public Notice of this intended change in zoning along with the dates, time, and place on which the Council would first consider the Ordinance on the zoning change has been heretofore published, as by law required.

SECTION III.

The property, above described, is hereby rezoned to Single-Family Residential (6RS).

SECTION IV.

All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION V.

If any Section, provision, 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 Section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION VI.

This Ordinance shall be in effect after its final passage, approval, and publication, as by law provided. Passed and approved by the City Council of the City of Fort Dodge, Iowa, this _____ day of _____, AD, 2014.

First consideration _____ day of _____ 2014.

Ayes: _____

Nays: _____

Other: _____

Second consideration _____ day of _____ 2014.

Ayes: _____

Nays: _____

Other: _____

Third consideration _____ day of _____ 2014.

Ayes: _____

Nays: _____

Other: _____

(City Seal)

CITY OF FORT DODGE

BY: _____

Matt Bemrich, Mayor

ATTEST:

Jeff Nemmers, City Clerk