

November 3, 2014

To: Mayor Bemrich and City Council

From: David Fierke, City Manager

**Subject: Request for Rezoning from Multiple Family Residential (1RM) to
Downtown Corridor Sub-District (D-2)**



ACTION: Hold Public Hearing and 1st Reading on November 10th

Brief History

The property located north and west of Josephson Manufacturing is currently used as either open space or single-family residences. Josephson Manufacturing currently owns, or has purchase agreements for the entire area proposed for rezoning. Upon finalizing the sale of all properties, Josephson intends to demolish any existing structures and use the lands for an expansion to their existing facilities. **In order to expand Josephson's** facilities, the properties must be appropriately zoned to allow a light industrial use; therefore, Josephson Manufacturing is requesting to rezone the properties identified in the attached map from Multiple Family Residential (1RM) to Downtown Corridor Sub-District (D-2).

Josephson Manufacturing is a custom designer and manufacturer of radiators, charge air coolers, oil coolers and other cooling components for the off-road industry. As an existing manufacturing operation in the downtown, Josephson is permitted to continue in its manufacturing operation and expand, under certain conditions within the D-2 District. Allowing the requested rezoning could allow Josephson Manufacturing to expand its operations into adjacent lots.

Analysis of Issue

The properties to the south of the area proposed for rezoning consists of Josephson Manufacturing, and is currently zoned D-2. The remainder of property located around the north portion of Josephson is zoned 1RM. The property to the north and west (zoned 1RM) is owned by the City, and is the location of a City trail. Additional landscaping has been installed along **the trail to provide some screening between the trail and Josephson's.** The properties to the east that are 1RM consist of vacant lots. One vacant lot is owned by the City, the other is owned by a private property owner. These properties are developable. Upon development on **Josephson's property, screening would be required in accordance with the City's Site Plan** requirements.

The land use plan identifies the area proposed for rezoning as Industrial.

Budget Impact

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

Strategic Plan Impact

N/A

Existing Plan Impact

The City’s land use plan identifies the subject property as Light Industrial, the proposed use would be in line with this use.

Subcommittee or Commission Review / Recommendation

The Plan & Zoning Commission reviewed this request at their October 28th meeting and unanimously recommended approval of said request

Staff Conclusions / Recommendations

Notification of the request for rezoning was sent to property owners within 200 feet of the subject property. No comments have been received to date. Subject to comments from the public at the Public Hearing, Staff recommends rezoning the subject property to D-2. See enclosed map of area proposed for rezoning.

Alternatives

The alternative would be to not approve the request to change in zoning. This would prevent the property from being developed, as currently planned by Josephson Manufacturing.

Implementation and Accountability

If the Council approves the change, the City’s official maps will be amended to reflect a Downtown Corridor Sub-District (D-2) zoning on the subject property.

Signed



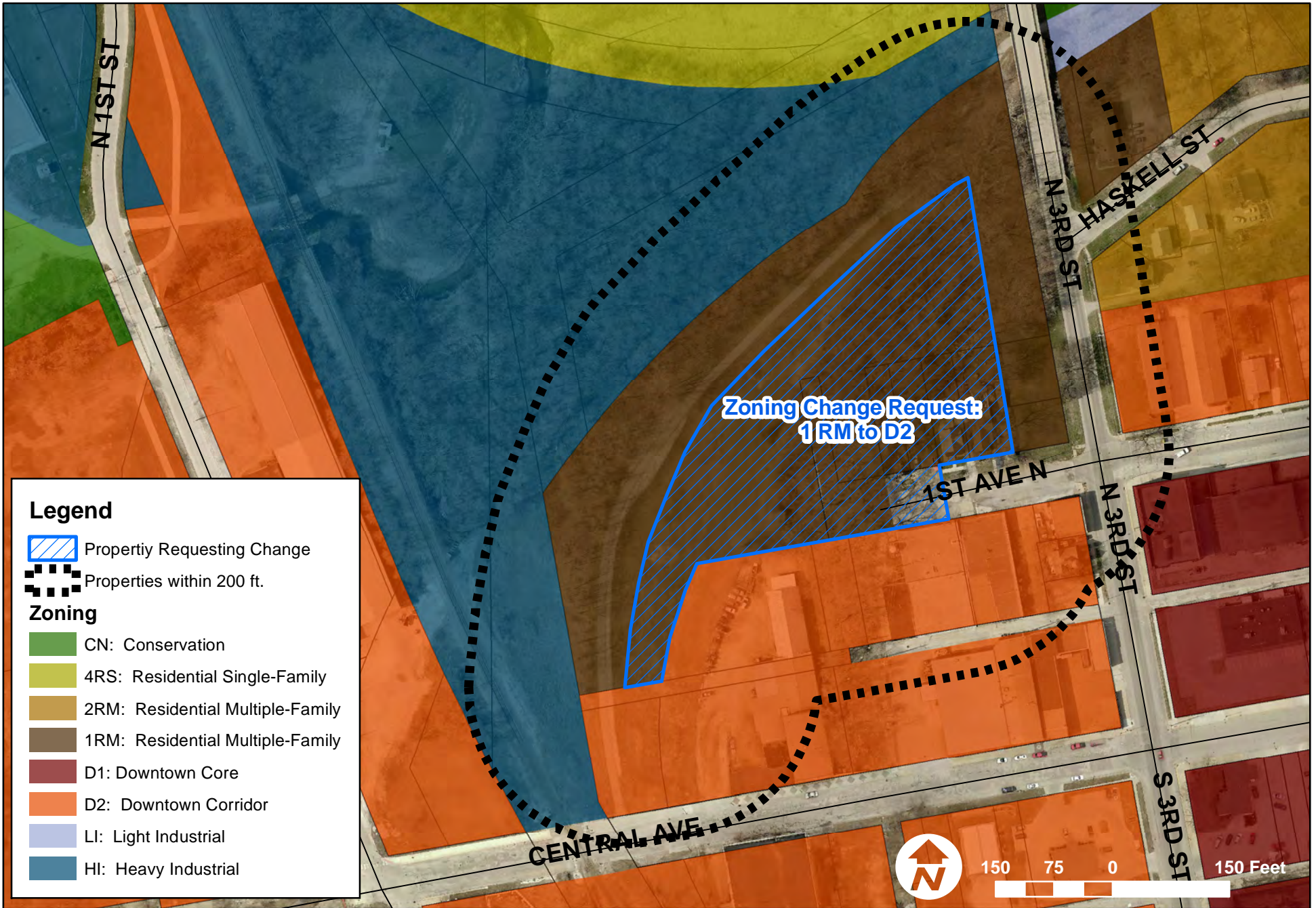
Carissa Miller
Senior Planner
Department of Business Affairs &
Community Growth

Approved



David R. Fierke
City Manager

Request for Rezoning



Prepared by Carissa Miller, Business Affairs & Community Growth, 819 1st Ave. South, Fort Dodge, Iowa 50501, 515-573-8321.
Return to Business Affairs & Community Growth, 819 1st Ave. South, Fort Dodge, Iowa 50501

ORDINANCE NO. _____

ORDINANCE PROVIDING FOR A CHANGE IN THE ZONING OF PROPERTY TO DOWNTOWN CORRIDOR SUB-DISTRICT (D-2) 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.

The purpose of this Ordinance is to change the zoning from Multiple Family Residential (1RM) to Downtown Corridor Sub-District (D-2) on the following property located in Webster County, Iowa, and described as follows:

THAT PORTION OF 1ST AVENUE NORTH LYING NORTH OF LOT 4 AND THE WEST 18.96 FEET OF LOT 3, ALL IN BLOCK 7 OF THE ORIGINAL TOWN OF FORT DODGE, IN WEBSTER COUNTY, IOWA.

AND ALSO:

A PARCEL OF LAND IN BLOCKS 31, 47, AND 135 INCLUDING ADJACENT STREETS INTOWN COMPANY'S ADDITION, ALSO PART OF FIRST AVENUE NORTH AND NORTH 2ND STREET ADJACENT TO BLOCK 6 ORIGINAL TOWN ALL IN FORT DODGE, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 168.00' WEST OF THE NORTHEAST CORNER OF BLOCK 6 ORIGINAL TOWN OF FORT DODGE; THENCE N 00°22'45"W 158.28' TO A POINT ON A LINE 40.0' NORMALLY MEASURED SOUTHEASTERLY FROM THE CENTERLINE OF A NOW ESTABLISHED CITY OF FORT DODGE WALKING TRAIL' THENCE UPON SAID 40.0' LINE ALONG THE FOLLOWING COURSES, S 56°00'11" W 225.60'; THENCE SOUTHWESTERLY 226.16' ALONG A 995.46' RADIUS CURVE CONCAVE SOUTHEASTERLY WITH A CHORD BEARING S 49°29'40" W 225.67'; THENCE SOUTHWESTERLY 115.69' ALONG A 216.50' RADIUS CURVE CONCAVE SOUTHEASTERLY WITH A CHORD BEARING S 27°40'40" W 114.32'; THENCE SOUTHERLY 280.67' ALONG A 1304.50' RADIUS CURVE CONCAVE EASTERLY WITH A CHORD BEARING S 06°12'22" W 280.13'; THENCE S 00°02'33" W 20.49' TO A POINT ON THE NORTH LINE OF CENTRAL AVENUE AND BEING THE LAST POINT ON SAID 40.0' LINE; THENCE S 90°00'00" E 63.89' ALONG SAID NORTH LINE; THENCE NORTHEASTERLY 294.60' ALONG A 491.00' RADIUS CURVE CONCAVE SOUTHEASTERLY AND NOT TANGENT TO THE PRECEDING COURSE WITH A CHORD BEARING N 19°10'45" E 290.20'; THENCE N 36°22'05" E 32.20' TO A POINT ON THE SOUTH LINE OF VACATED FIRST AVENUE NORTH; THENCE N 90°00'00" E 137.80' ALONG SAID SOUTH LINE OF VACATED FIRST AVENUE NORTH TO THE WEST LINE OF VACATED SECOND STREET; THENCE N 00°17'04" W 66.29'; THENCE N 72°27'10" E 21.36' TO THE SOUTHWEST CORNER OF BLOCK 6 ORIGINAL TOWN OF FORT DODGE; THENCE N 00°22'45" W 143.50' ALONG THE WEST LINE OF SAID BLOCK 6; THENCE S 89°19'25" E 132.05' ALONG THE NORTH LINE OF SAID BLOCK 6 TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 2.20 ACRES SUBJECT TO EASEMENTS OF RECORD.

AND ALSO:

PART OF FIRST AVENUE NORTH LYING SOUTH OF LOT 5 BLOCK 6 OF ORIGINAL TOWN AND LYING SOUTH OF VACATED NORTH SECOND STREET ALL IN FORT

DODGE, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF BLOCK 6 ORIGINAL TOWN, FORT DODGE, IOWA; THENCE N 89°55'43" E 60.00' ALONG THE NORTH LINE OF THE CURRENTLY ESTABLISHED FIRST AVENUE NORTH; THENCE S 00°01'54" W 70.03' TO THE SOUTH LINE OF THE CURRENTLY ESTABLISHED FIRST AVENUE NORTH; THENCE S 89°55'43" W 60.00' ALONG SAID SOUTH LINE; THENCE S 82°14'03" W 18.56' ALONG SAID SOUTH LINE; THENCE N 00°17'04" W 66.29'; THENCE N 72°27'10" E 21.36' TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 0.13 ACRES SUBJECT TO EASEMENTS OF RECORD.

NOTE: THE NORTH LINE OF CENTRAL AVE IS ASSUMED TO BE N 90°00'00" E.

AND ALSO:

LOT 3, 4, 5 AND 6 OF BLOCK 6 OF ORIGINAL TOWN OF FORT DODGE, IOWA CONTAINING 0.20 ACRES.

AND ALSO:

THE WEST 48 FEET OF LOT 2 IN BLOCK 6, ORIGINAL TOWN OF FORT DODGE, IOWA.

SECTION II.

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

1. That the zoning changes will create consistency between the City's Land Use Plan and Official Zoning Map.
2. Permit orderly and consistent site development.
3. That changes in zoning will maintain a consistency with adjacent land uses and provide a transition for 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 and the dates, time, and place on which the Council would first consider the zoning change Ordinance has been heretofore published, as by law required.

SECTION III.

The property, above described, is hereby changed to a rezoned to Downtown Corridor Sub-District (D-2).

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

STATE OF IOWA, WEBSTER COUNTY, ss:

On this ____ day of _____, 2014 before me, the undersigned, a Notary Public in and for said State, personally appeared Matt Bemrich and Jeff Nemmers to me personally known, who being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of said corporation, that the seal affixed thereto is the seal of said corporation, that said instrument was signed and sealed on behalf of said corporation by authority of its City Council; and that the said Mayor and City Clerk as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

Dawn M. Siebken, Notary Public