



**Council
Communication**
Office of the City Manager

Date

April 10, 2006

Agenda Item No. 66

Roll Call No. 06-

Communication No. 06-207

Submitted by: Larry Hulse, Community
Development Director

AGENDA HEADING:

Hearing on Voluntary Annexation of approximately 10 acres of land in Warren County, located west of County Highway R63 between Blue and Carpenter Streets (LeMar Koethe, owner).

SYNOPSIS:

Recommend approval of the Voluntary Annexation. The hearing was continued from the March 20, 2006 City Council meeting to allow proper notice of the proposal to be published. The Application for Voluntary Annexation is consistent with the City's long-range plans for the area. If the annexation is approved by the City Council, and unless the Application for Voluntary Annexation is withdrawn by LeMar Koethe within 5 business days after Council approval, the City Clerk shall forward a certified copy of the resolution and the accompanying exhibits to the City Legal Department who will seek approval of this voluntary annexation by the City Development Board in accordance with the procedures established in Iowa Code Chapter 368.

FISCAL IMPACT: NONE

Amount:

Funding Source:

ADDITIONAL INFORMATION:

The territory proposed for annexation adjoins the boundaries of the City of Des Moines. It is not within the boundaries of any city but is located within two miles of the boundaries of the City of Norwalk. However, the territory is on the Des Moines' side of the annexation moratorium line established by resolution between the Cities of Des Moines and Norwalk.

There are currently no structures on the subject property, and it is currently utilized for agricultural production. The Des Moines 2020 Community Character Land Use Plan currently designates the subject property as Low-Density Residential. The subject property is within the Highway 5 / North River Master Plan study area. Upon annexation to the City of Des Moines, the subject property will be zoned "A-1", Agricultural. Future land use plan amendments and/or rezoning of the subject property will be necessary

to accommodate urban development. There is minimal need for urban services to the subject property until such development occurs.

Notice of the proposed annexation was given to the Warren County Board of Supervisors, to the Warren County Zoning Administrator and to the Greenfield Township Board of Trustees by letter of February 1, 2006, and they were invited to a consultation meeting with City staff. Neither the county nor township sent representatives to the consultation meeting.

Notice of the public hearing was sent, by certified or regular mail on February 22, 2006, to all affected utilities, to all other cities located within two miles of the property, to the Warren County Board of Supervisors and County Attorney, and to all applicants and owners of land adjoining the territory proposed to be annexed as required by Sections 368.5 and 368.7 of the Iowa Code.

The Indianola Record Herald & Tribune received and acknowledged receipt of the City's request to publish the required notice of the public hearing, but the notice was not published on February 22, 2006, as requested, resulting in a need to continue the public hearing until April 10, 2006.

Notice of the April 10, 2006 public hearing was published in the Indianola Record Herald & Tribune on March 1, 2006, as provided by law.

PREVIOUS COUNCIL ACTION(S):

Date: March 20, 2006.

Roll Call Number: 06-554.

Action: [On](#) Voluntary Annexation of approximately 10 acres of land in Warren County, located west of County Highway R63 between Blue and Carpenter Streets, LeMar Koethe. Moved by Hensley to continue the public hearing until April 10, 2006 at 5:00 P.M. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

Date:

Roll Call Number:

Action:

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

The current or future owners will likely seek to rezone the subject property for development purposes. The provision of full urban services by the City will be required at that time.