



Council Communication

Office of the City Manager

Date April 6, 2009

Agenda Item No. 55
Roll Call No. 09-
Communication No. 09-193
Submitted by: Larry Hulse, Community
Development Department Director

AGENDA HEADING:

Hearing on application from H. Dwayne Crozier seeking voluntary annexation by the City of Des Moines of approximately 2.597 acres of land located in the vicinity of 4880 NE 23rd Avenue in unincorporated Polk County.

SYNOPSIS:

Staff recommends Council approval of the Annexation. If the annexation is approved by the City Council, and unless the Application for Voluntary Annexation is withdrawn by H. Dwayne Crozier within 5 business days after Council approval, the City Clerk shall forward a certified copy of the resolution and the accompanying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: N/A

Funding Source: N/A

ADDITIONAL INFORMATION:

The territory proposed for voluntary annexation adjoins the boundaries of the City of Des Moines along the north and west lot lines of the subject property. The property is located within two miles of the boundaries of the Cities of Pleasant Hill and Altoona. The property is also located within the boundaries of the approved but still pending A98-03 Involuntary Annexation petition. If this voluntary annexation request is approved by the City Council and the City Development Board for the State of Iowa, then the subject property will automatically be removed from the A98-03 petition.

The subject property is designated as Low-Density Residential on the Des Moines' 2020 Community Character Plan Land Use Map. Upon annexation, the subject property will be zoned A-1, Agricultural. The property owner intends to allow construction of a telecommunications tower/pole on the subject parcel. The tower/pole will be subject to the issuance of a conditional use permit by the Board of Adjustment. The Community Development staff has encouraged the applicant to locate the tower on the subject parcel to minimize impact on approved and future development to the north and west.

Notice of the proposed annexation was given to the Polk County Board of Supervisors and to the Delaware Township Board of Trustees by letter of February 5, 2009, and they were invited to a

consultation meeting with City staff held on February 19, 2009. Neither the County nor the Township sent representatives to the consultation meeting.

Notice of the hearing was sent by certified or regular mail on March 13, 2009, to all affected utilities, to all other cities located within two miles of the Property, to the Polk 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.

Notice of the April 6, 2009 public hearing was published in the Des Moines Register on March 13, 2009, as provided by law.

PREVIOUS COUNCIL ACTION(S):

Date: February 9, 2009

Roll Call Number: 09-186

Action: On voluntary annexation application from H. Dwayne Crozier for property at 4880 NE 23rd Avenue, (4-6-09). Moved by Vlassis to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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