

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: September 27, 2010
	Agenda Item No. 50 Roll Call No. <u>10-1600</u> Communication No. <u>10-592</u> Submitted by: Phil Delafield, Acting Community Development Director

AGENDA HEADING:

Hearing on application from Lowell and Cathy Long seeking voluntary annexation by the City of Des Moines of approximately 4.133 acres of land located in the 4900 block of Easton Boulevard (county road NE 23rd Avenue) in unincorporated Polk County.

SYNOPSIS:

Staff recommends approval of the Annexation subject to the south 50 feet of the described real estate being removed from the territory to be annexed to the City of Des Moines. Said removal is necessary to prevent the creation of an island of unincorporated land immediately to the west. If the annexation is approved by the City Council, and unless the Application for Voluntary Annexation is withdrawn by Lowell and Cathy Long within 5 business days after Council approval, the City Clerk shall forward a certified copy of the resolution and the accompanying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. In the event the City Development Board requires more than 50 feet of unincorporated land be maintained along the south side of the territory to be annexed, the Legal Department will be authorized to agree on behalf of the City to the removal of up to 90 feet of land on and adjoining the south side of such real estate.

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 and also adjoins the boundaries of the City of Pleasant Hill. The property is located on the Des Moines side of a previous and proposed Annexation Moratorium Agreement line between the City of Des Moines and the City of Pleasant Hill.

The Des Moines’ 2020 Community Character Plan Land Use Map currently designates the subject property for Low-Density Residential use. Upon annexation, the subject property will be zoned A-1, Agricultural. There are no structures currently on the property. Future development of the subject property will require a rezoning.

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 August 3, 2010, and they were invited to a consultation meeting with City staff held on August 12, 2010. No one appeared at the meeting on behalf of the County or Township and neither entity has raised any objection to the proposed annexation.

Notice of the hearing was sent by certified or regular mail on September 3, 2010 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 September 27, 2010 public hearing was published in the Des Moines Register on September 3, 2010, as provided by law.

PREVIOUS COUNCIL ACTION(S):

Date: August 9, 2010

Roll Call Number: 10-1271

Action: [Set](#) date of hearing on voluntary annexation of a parcel in the 4900 block of Easton Boulevard, (9-27-2010). Moved by Moore to adopt. Motion carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Consideration of future request(s) to rezone the subject property.

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the second floor of City Hall, 400 Robert D. Ray Drive. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to cityclerk@dmgov.org.