City of Carroll

112 E. 5th Street Carroll, Iowa 51401-2799 (712) 792-1000 FAX: (712) 792-0139

MEMO TO: Honorable Mayor and City Council Members

FROM: Mike Pogge-Weaver, City Manager MSP-W

DATE: January 7, 2020

SUBJECT: Rezoning request from P.U.D. – Planned Unit Development with the underlaying zoning of R-5, High-Density Residential District to R-3, Low-Density Residential District

A request was received from Martin J. Steffes, Vice-President of Roman J. Steffes & Sons Construction, Inc., to rezone a parcel of land located in the southeast quarter of Section 19, Township 84 North, Range 34 West of the Fifth P.M., City of Carroll, Carroll County, Iowa, whose exterior boundary is more fully described on attached Exhibit A.

The rezoning contains 5.42 acres of land and is located immediately east of Bella Vista Drive and is approximately 550 feet west of Griffith Road.

On August 6, 2018, the property was rezoned from R-3, Low-Density Residential District to its current classification of P.U.D. – Planned Unit Development with the underlaying zoning of R-5, High-Density Residential District for the proposed Carroll Park Apartments project. With the project now not moving forward, Mr. Steffes is requesting to rezoning the property back to R-3, Low-Density Residential District. The property is identified in the 2013 Carroll Comprehensive Plan as General Business.

PLANNING AND ZONING COMMISSION RECOMMENDATION: The Planning and Zoning Commission reviewed the rezoning request at their December 11, 2019 meeting. The Commission voted to recommend that the City Council approve the proposed rezoning.

STAFF RECOMMENDATION:
That the City Council consider approving a request to rezone the above described property from P.U.D. – Planned Unit Development with the underlaying zoning of R-5, High-Density Residential District to R-3, Low-Density Residential District

Exhibit "A"

A parcel of land located in the southeast quarter of Section 19, Township 84 North, Range 34 West of the Fifth P.M., Carroll County, Iowa being more particularly described as follows:

Referring to the southeast corner of the southeast quarter of said section 19; thence N00°27'59"W, on the east line of said southeast quarter, 935.42 feet; thence S89°50'09"W on the north line of East Business Park Subdivision 552.83 feet to the point of beginning; thence N00°15'33"W, 339.98 feet to the south line of Northridge Fourth Subdivision, Phase Three; thence S89°50'21"W, on said south line, 694.67 feet to the east right of way line of Bella Vista Drive; thence S00°15'33"E, on said east line, 340.02 feet to the north line of East Business Park; thence N89°50'09"E, on said north line, 694.67 feet to the point of beginning, containing 5.42 acres, more or less.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING MAP REFERRED TO IN SECTION 170.06 OF THE ZONING ORDINANCE INCORPORATED IN CHAPTER 170 OF THE CODE OF ORDINANCES OF THE CITY OF CARROLL, IOWA AND ALTERING THE ZONING DISTRICT FOR REAL ESTATE SITUATION IN THE CITY OF CARROLL, CARROLL COUNTY, IOWA:

BE IT ORDAINED by the City Council of the City of Carroll, Iowa as follows:

SECTION 1. The Zoning Map referred to and incorporated as a part of Section 170.06, Chapter 170 of the Code of Ordinances, City of Carroll, Iowa is hereby amended to the extent of altering the Zoning District of the following property described from P.U.D. – Planned Unit Development with an underlay zoning of R-5, High-Density District to R-3, Low-Density District :

A parcel of land located in the southeast quarter of Section 19, Township 84 North, Range 34 West of the Fifth P.M., Carroll County, Iowa being more particularly described as follows:

Referring to the southeast corner of the southeast quarter of said Section 19; thence N00°27'59"W, on the east line of said southeast quarter, 935.42 feet; thence S89°50'09"W on the north line of East Business Park Subdivision 552.83 feet to the point of beginning; thence N00°15'33"W, 339.98 feet to the south line of Northridge Fourth Subdivision, Phase Three; thence S89°50'21"W, on said south line, 694.67 feet to the east right of way line of Bella Vista Drive; thence S00°15'33"E, on said east line, 340.02 feet to the north line of East Business Park; thence N89°50'09"E, on said north line, 694.67 feet to the point of beginning, containing 5.42 acres, more or less.

SECTION 2. The City Clerk is directed to attach a copy of the Ordinance to the official Zoning Map.

SECTION 3. The remainder of the Zoning Map, other than herein specified, shall remain the same as previously drawn and published.

SECTION 4. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. SEVERABILITY CLAUSE. 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 adjudged not invalid or unconstitutional.

SECTION 6. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed and approved by the Carroll City Council this _____ day of _____, 2020.

CITY COUNCIL OF THE
CITY OF CARROLL, IOWA

BY: _____
Eric P. Jensen, Mayor

ATTEST:

_____
Laura A. Schaefer, City Clerk

I certify that the foregoing was published as Ordinance No. _____ on the ____ day of _____, 2020.

_____
Laura A. Schaefer, City Clerk