



*Plan and Zoning Commission  
Staff Report*

*Meeting Date: March 19, 2019*

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**Agenda Item:** Cougar Valley Farms Rezoning – Action  
**Report Date:** March 12, 2019 EJC  
**Prepared By:** Derek Silverthorn  
Associate Planner

**Staff Recommendation**

That the Plan and Zoning Commission recommend City Council approval of the request by JDEV, LLC to rezone property from R-1, One-Family Residence District, to R-3, Multiple-Family Residence District, with restrictions.

**Project Report**

The applicant, JDEV, LLC, is requesting to rezone property from R-1, One-Family Residence District, to R-3, Multiple-Family Residence District, with restrictions.

The subject property is approximately 43.11 acres (+/-), located east of N Ankeny Blvd and approximately a quarter-mile north of the intersection at NE 54<sup>th</sup> St. Properties to the north and west are outside of the Ankeny corporate limits, and are zoned AG, Agricultural District under Polk County zoning. Properties to the south are zoned R-1, One-Residence District; and properties to the east are zoned R-3, Multiple-Family Residence District, restricted to single-family detached residential.

This property was annexed in 2017, and a concurrent land use plan amendment was approved, changing the future land use designation from “unidentified” to its current designations as low density residential and medium density residential. At the time of annexation and land use plan amendment, the 2010 Ankeny Comprehensive Plan was still in effect, and did not include this property. Since the adoption of the Ankeny Plan 2040 in 2018, the planning boundary has expanded north, including and beyond this property. The proposed rezoning is thus consistent with the Ankeny Plan 2040 Future Land Use Map. Surrounding properties to the north and east are indicated as Low Density Residential; and surrounding properties to the south and west are indicated as Open Space/Floodplain and Low Density Residential.

There are two specified areas within this proposed 43-acre (+/-) rezoning. These areas include a 32-acre (+/-) portion of land covering the southern and eastern majority of the property to be rezoned to R-3, Multiple-Family Residence District, restricted to single-family; and an 11-acre (+/-) portion of land in the northwestern part of the rezoning area along HWY 69 to be rezoned to R-3, Multiple-Family Residence District, restricted to 10 units per acre. The 32 acres (+/-) restricted to single-family residential will conform to standard R-3 zoning regulations—requiring a minimum of 65-foot wide lots for one-family detached dwellings. The 11 acres (+/-) restricted to 10 units per acre is a similar density to other townhome and rowhouse developments in R-3 zoning districts.

The developer has submitted the required rezoning petition owner signatures, consisting of 100% of the land area subject to the rezoning, exceeding the minimum required of amount of 50%; as well as 66.51% of the land area within 250' of the subject property, not including City of Ankeny or Polk County, exceeding the minimum required amount of 60%. This percentage encompasses three of six such property owners.

Notifications of the public hearing were sent to the property owners within 250' of the property on February 20, 2019; and a legal notice was published on February 22, 2019. The Zoning Ordinance also requires that the applicant of a proposed rezoning post public notification signage on the property to inform the public of the proposed change, as well as the time and place of the public hearing. Such notification shall be erected no less than seven days before the public hearing before the Plan and Zoning Commission. The applicant posted the signage on Friday, February 22, providing more than seven days of notification for the proposed rezoning.

### **Public Hearing**

The Plan and Zoning Commission held a public hearing for the proposed rezoning on March 5, 2019. There were no questions or comments from the public. A complete recap of the public hearing can be found in the minutes from the meeting.