

★ **Roll Call Number**

**Agenda Item Number**

.....  
Date..... **November 19, 2007**

.....  
**23**

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on November 1, 2007, its members voted 12-0 to recommend that the "S-O" Study Overlay District for the Four Mile Creek floodplain be extended and that affected property owners be notified in writing of the extension of the "S-O" District pending the completion of the Corps of Engineers' study of the Four Mile basin.

The subject property is owned by multiple parties and is more specifically described as follows:

Lots 481 and 482, Lots 488 through 490, Lots 531 through 533, Lots 539 through 541, Lots 582, 583 and 584, Lots 586 through 593, Lots 629 through 650, Lots 677 through 684, Lots 686 through 689, Lots 693 and 694, Lots 697 through 713, and the North 25.0 feet of Lot 740, and all of Lots 741 through 749, Lots 768 through 788, Lots 792 through 819, Lots 822 through 836, Lots 848 through 862, and the South 25.0 feet of Lot 866, and all of Lots 867, 868 and 869, and Lots 881 through 885, Four Mile Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

AND, the South 25.0 feet of Lot 740 and all of Lots 739, 738, 737, 736, 789, 790 and 791, Four Mile Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

1. That the meeting of the City Council at which the proposed extension of the "S-O" Study Overlay District for the Four Mile Creek floodplain will be considered shall be held in the Council Chambers, City Hall, Des Moines, Iowa at 5:00 p.m. on December 3, 2007, at which time the City Council will hear both those who oppose and those who favor the proposal.

( continued )

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2. That the City Clerk is hereby authorized and directed to cause notice of said proposal in the accompanying form to be given by publication once, not less than seven (7) days and not more than twenty (20) days before the date of hearing, all as specified in Section 362.3 and Section 414.4 of the Iowa Code.

MOVED by \_\_\_\_\_ to adopt.

FORM APPROVED:

*Roger K. Brown*  
\_\_\_\_\_  
Roger K. Brown  
Assistant City Attorney

(10-2001-3.23)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

**CERTIFICATE**

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED APPROVED

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

November 19, 2007

Honorable Mayor and City Council  
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held November 1, 2007, the following action was taken:

**COMMISSION RECOMMENDATION:**

After public hearing, the members voted 12-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Leisha Barcus	X			
David Cupp	X			
Shirley Daniels	X			
Dann Flaherty	X			
Bruce Heilman	X			
Jeffrey Johannsen				X
Greg Jones	X			
Frances Koontz	X			
Kaye Lozier	X			
Jim Martin	X			
Brian Millard	X			
Mike Simonson	X			
Kent Sovern	X			
Tim Urban				X
Marc Wallace				X

To retain the "S-O" Study Overlay District zoning designation and that affected property owners be notified in writing of the extension of those provisions pending the completion of the Corps of Engineers' study of the Four Mile basin.  
(10-2001-3.23)

**STAFF RECOMMENDATION AND BASIS FOR APPROVAL**

Staff recommends retention of the "S-O" Study Overlay District zoning designation.

**STAFF REPORT**

**I. GENERAL INFORMATION**

The Commission shall annually review all property zoned to the "S-O" Study Overlay District and shall file a report and recommendation with the city council on the need to continue the zoning and the appropriateness of rezoning the property or any part thereof to another zoning classification.



CITY PLAN AND ZONING COMMISSION  
ARMORY BUILDING  
602 ROBERT D. RAY DRIVE  
DES MOINES, IOWA 50309 -1881  
(515) 283-4182

ALL-AMERICA CITY  
1949, 1976, 1981  
2003

During the summer of 2007, the Corps of Engineers provided the City of Des Moines with an engineering study that shows potential revisions the FEMA Flood Zone and Flood Plain along Four Mile Creek. This study shows that approximately 100 of the 159 parcels in the "S-O" Study Overlay will likely be entirely or partially within the FEMA 100-year Flood Plain. 23

Staff will make a 4:30 PM presentation to the City Council on Monday, October 15, 2007 and a 5:30 PM presentation to the Plan and Zoning Commission on Thursday, October 18, 2007 regarding the proposed FEMA maps. A public meeting with affected residents and property owners is being scheduled for early November 2007. However, until the final Corps study is adopted, staff believes that continuation of the "S-O" District is warranted.

**SUMMARY OF DISCUSSION**

*There was no discussion on this item.*

Fran Koontz: Moved to retain the "S-O" Study Overlay District zoning designation.

Motion passed 12-0.

Respectfully submitted,



Michael Ludwig, AICP  
Planning Administrator

Attachment