



**Date** March 21, 2022

**RESOLUTION HOLDING HEARING ON REQUEST FROM WENDY STEFFES AND DAVE STEFFES TO AMEND PLANDSM FUTURE LAND USE DESIGNATION AND TO REZONE PROPERTY LOCATED AT 514 FOSTER DRIVE**

**WHEREAS**, on March 7, 2022, by Roll Call No. 22- 0322, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on February 17, 2022, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from Wendy Steffes and Dave Steffes, (owners) to amend the PlanDSM: Creating Our Tomorrow future land use designation for real property locally known as 514 Foster Drive (“Property”) from Parks and Open Space to Low Density Residential to allow rezoning to Limited ‘N1a’ Neighborhood District, to allow this to be combined with the adjacent parcel for the construction of a cabana; and

**WHEREAS**, on March 7, 2022, by Roll Call No. 22-0322, the City Council received a communication from the City Plan and Zoning Commission further advising that at a public hearing held on February 17, 2022, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from Wendy Steffes and Dave Steffes, (owners) to rezone Property from ‘P2’ Public, Civic and Institutional District, to Limited ‘N1a’ Neighborhood District, for the above-stated purpose, subject to provision of the following setbacks for any primary or accessory building:

1. A minimum of 17 feet from the north property line; and
2. A minimum of 32 feet from the west property line; and

**WHEREAS**, on March 7, 2022, by Roll Call No. 22-0322, it was duly resolved by the City Council that the request to amend the land use designation and to rezone the Property be set down for hearing on March 21, 2022, at 5:00 p.m., at the City Council Chambers; and

**WHEREAS**, due notice of said hearing was published in the Des Moines Register, as provided by law, setting forth the time and place for hearing on said proposed land use amendment and rezoning; and

**WHEREAS**, the Legal Department has prepared an amendment to the Zoning Ordinance of the City of Des Moines to rezone the Property locally known as 514 Foster Drive, legally described as:

A PART OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 12, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH P.M., NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER LOT 34, LINDEN HEIGHTS, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA; THENCE NORTH 87°(DEGREES) 59'(MINUTES) 18"(SECONDS) WEST ALONG THE NORTH LINE OF SAID LOT 34, A DISTANCE OF 250.14 FEET; THENCE NORTH 0°03'50" EAST, 30.02 FEET; THENCE SOUTH 87°59'18" EAST, 250.14 FEET; THENCE SOUTH 0°03'50" WEST, 30.02 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.17 ACRES (7504 SQ. FT.)

from ‘P2’ Public, Civic and Institutional District to Limited ‘N1a’ Neighborhood District; and

February 22, 2022

Communication from the City Plan and Zoning Commission advising that at their February 17, 2022 meeting, the following action was taken regarding a request from Wendy Steffes & Dave Steffes (owners) to rezone property located at 514 Foster Drive from “P2” Public, Civic, and Institutional District to “N1a” Neighborhood District, to allow this to be combined with the adjacent parcel for the construction of a cabana.

**COMMISSION RECOMMENDATION:**

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

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus	X			
Leah Rudolphi	X			
Dory Briles	X			
Abby Chungath	X			
Kayla Berkson	X			
Chris Draper	X			
Jann Freed	X			
Todd Garner				X
Johnny Alcivar				X
Lisa Howard	X			
Carolyn Jenison	X			
William Page	X			
Andrew Lorentzen	X			
Greg Wattier				X
Emily Webb	X			

**APPROVAL** of Part A) The requested “N1a” District be found not in conformance with the existing PlanDSM future land use designation of Parks and Open Space.

Part B) Approval of the request to amend the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use designation from Parks and Open Space to Low Density Residential.

Part C) Approval of the request to rezone the property from “P2” Public, Civic, and Institutional District to “N1a” Neighborhood District, subject to provision of the following setbacks for any primary or accessory building:

1. A minimum of 17 feet from the north property line.
2. A minimum of 32 feet from the west property line.

(ZONG-2022-000005)

Written Responses

0 in Favor  
0 in opposition

**STAFF RECOMMENDATION TO THE P&Z COMMISSION**

Part A) Staff recommends that the requested “N1a” District be found not in conformance with the existing PlanDSM future land use designation of Parks and Open Space.

Part B) Staff recommends approval of the request to amend the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use designation from Parks and Open Space to Low Density Residential.

Part C) Staff recommends approval of the request to rezone the property from “P2” Public, Civic, and Institutional District to “N1a” Neighborhood District, subject to provision of the following setbacks for any primary or accessory building:

1. A minimum of 17 feet from the north property line.
2. A minimum of 32 feet from the west property line.

**STAFF REPORT TO THE PLANNING COMMISSION**

**I. GENERAL INFORMATION**

1. **Purpose of Request:** The applicant is proposing to rezone the subject property to “N1a” District to allow the construction of a pool cabana consisting of an elevated deck with roof and enclosed storage room. The proposed structure would be located approximately 320 feet west of the Foster Drive right-of-way, 35 feet from the west property line, 19.5 feet from the north property line, and approximately 75 feet from the CITA trail. The CITA trail’s closest point to the property line is approximately 55 feet. The applicant recently updated the structure to include enclosed walls to facilitate an improved structural design. The applicant requested updated setbacks to allow for an increased building size to accommodate enclosed walls. Staff believes that the new proposed structure’s dimensions would be appropriate so long as the structure remains within the existing retaining walls.

Submitted site sketches indicate the proposed structure would be located on a portion of the subject property that has been graded into two terraces with the structure proposed to sit on the lower terrace, approximately 4 feet below street level grade. The proposed structure would be approximately 14.5 feet tall, thus 10.5 feet of the structure

would be partially visible from the Foster Drive frontage. The adjoining property, addressed as 514 Foster Drive, is owned by the applicant and measures 3.122 acres (135,997 square feet).

Any future construction or redevelopment of the subject property must comply with all applicable site plan and design regulations contained in the Planning and Design Ordinance (Chapter 135 of City Code).

2. **Size of Site:** 7,504 square feet (0.172 acres).
3. **Existing Zoning (site):** "P2" Public, Civic, and Institutional District.
4. **Existing Land Use (site):** Undeveloped lot.
5. **Adjacent Land Use and Zoning:**
  - North** – "P2"; Use is parks and open space (Ashworth Park).
  - South** – "N1a"; Uses are one-household residential.
  - East** – "N1a"; Uses are one-household residential.
  - West** – "P2"; Use is parks and open space (Ashworth Park).
6. **General Neighborhood/Area Land Uses:** The subject property is bounded by 514 Foster Drive to the south, 424 Foster Drive to the east, and Ashworth Park to the north and west. The area consists of one-household residential and open space/public uses.
7. **Applicable Recognized Neighborhood(s):** The subject property is located in the Linden Heights Neighborhood Association and within 250 feet of the Westwood Neighborhood Association. All neighborhood associations were notified of the public hearing by mailing of the Preliminary Agenda on January 28, 2022 and by mailing of the Final Agenda on February 11, 2022. Additionally, separate notifications of the hearing for this specific item were mailed on January 28, 2022 (20 days prior to the public hearing) and February 7, 2022 (10 days prior to the public hearing) to the Linden Heights and Westwood Neighborhood Associations and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site.

All agendas and notices are mailed to the primary contact(s) designated by the recognized neighborhood association to the City of Des Moines Neighborhood Development Division on the date of the mailing. The Linden Heights Neighborhood mailings were sent to Carol Bower Broms, 7 Foster Drive, Des Moines, IA 50312. The Westwood Neighborhood mailings were sent to Diane Kuhn, 5320 Welker Avenue, Des Moines, IA 50312.

The applicant can provide a summary of the neighborhood meeting at the public hearing.
8. **Relevant Zoning History:** On November 23, 2020, by Roll Call No. 20-1769, the City Council approved vacation of a portion of Ashworth Park located north of and adjoining 514 Foster Drive to allow an existing driveway encroachment onto Ashworth Park property to be swapped in a land exchange agreement with additional land for

expansion of Ashworth Park to incorporate existing nature trails that are now located on and crossing through the far west section of the Steffes' property. On December 7, 2020, by Roll Call No. 20-2053, the City Council approved the final documents.

**9. PlanDSM: Creating Our Tomorrow Plan Land Use Plan Designation: Parks and Open Space.**

**10. Applicable Regulations:** Taking into consideration the criteria set forth in Chapter 18B of the Iowa Code, the Commission reviews all proposals to amend zoning boundaries or regulations within the City of Des Moines. Such amendments must be in conformance with the comprehensive plan for the City and designed to meet the criteria in 414.3 of the Iowa Code. The Commission may make recommendations to the City Council on conditions to be made in addition to the existing regulations so long as the subject property owner agrees to them in writing. The recommendation of the Commission will be forwarded to the City Council.

**II. ADDITIONAL APPLICABLE INFORMATION**

**1. PlanDSM: Creating Our Tomorrow:** The applicant is requesting that the future land use designation for the property be amended from "Low Density Residential" to "Medium Density Residential". Plan DSM describes these designations as follows:

*Parks and Open Space: Land or water areas generally free from development. Primarily used for park and recreation purposes but may also indicate private or public open spaces reserved for natural resource conservation.*

*Low Density Residential: Areas developed with primarily single-family and two-family residential units with up to 6 dwelling units per net acre.*

The subject property is currently zoned "P2" District. The Zoning Ordinance describes this district as "intended for civic and institutional facilities, such as religious assembly places, cultural or arts centers, community centers, schools, infrastructure, recreational facilities, and other institutional facilities. Infrastructure includes public or private infrastructure, including rail corridors and utility corridors or sites."

The applicant is proposing to rezone the subject property to the "N1a" District. The Zoning Ordinance describes this district as "intended for large lots for mostly single-household residential houses with a more flexible building form pursuant to House A building type in section 135-2.13 of this code."

Staff believes the proposed amendment to the comprehensive plan is appropriate as the subject property is now owned privately and the property is no longer intended to be reserved for natural resource conservation.

**2. Development Regulations:** Any development must comply with all applicable site plan and design regulations of the Planning and Design Ordinance. Should the rezoning be approved, the applicant would be required to prepare design information for review before a building permit can be issued.

Staff notes that grading and retaining wall construction has been completed that was not reviewed by the Permit and Development Center. The applicant must demonstrate to the satisfaction of PDC staff that the retaining walls can support the grade. This will likely require documentation prepared by an engineer.

3. **Staff Rationale:** The applicant is proposing to rezone the subject property from “P2” Public, Civic, and Institutional District to “N1a” Neighborhood District as the subject property is now owned privately and to allow construction of a covered deck (pool cabana). The submitted site sketch and elevations indicate the proposed covered deck would be adjacent to a recently constructed pool and located within an area recently graded with retaining walls. Staff believes that the proposed rezoning would be appropriate given the current ownership and proposed use subject to the conditions identified in Section III of this report.

### **SUMMARY OF DISCUSSION**

Emily Webb asked if any member of the public or commission desired to speak on the item. No one requested to speak.

### **COMMISSION ACTION:**

Dory Briles made a motion for approval of:

Part A) The requested “N1a” District be found not in conformance with the existing PlanDSM future land use designation of Parks and Open Space.

Part B) Approval of the request to amend the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use designation from Parks and Open Space to Low Density Residential.

Part C) Approval of the request to rezone the property from “P2” Public, Civic, and Institutional District to “N1a” Neighborhood District, subject to provision of the following setbacks for any primary or accessory building:

1. A minimum of 17 feet from the north property line.
2. A minimum of 32 feet from the west property line.

Motion passed: 12-0

Respectfully submitted,



Jason Van Essen, AICP  
Planning & Urban Design Administrator

JMV:tjh

103

Wendy & Dave Steffes, 514 Foster Drive

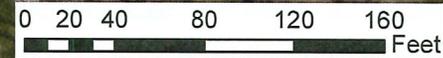
ZONG-2022-000005



1 inch = 82 feet



Updated on: 2/3/2022



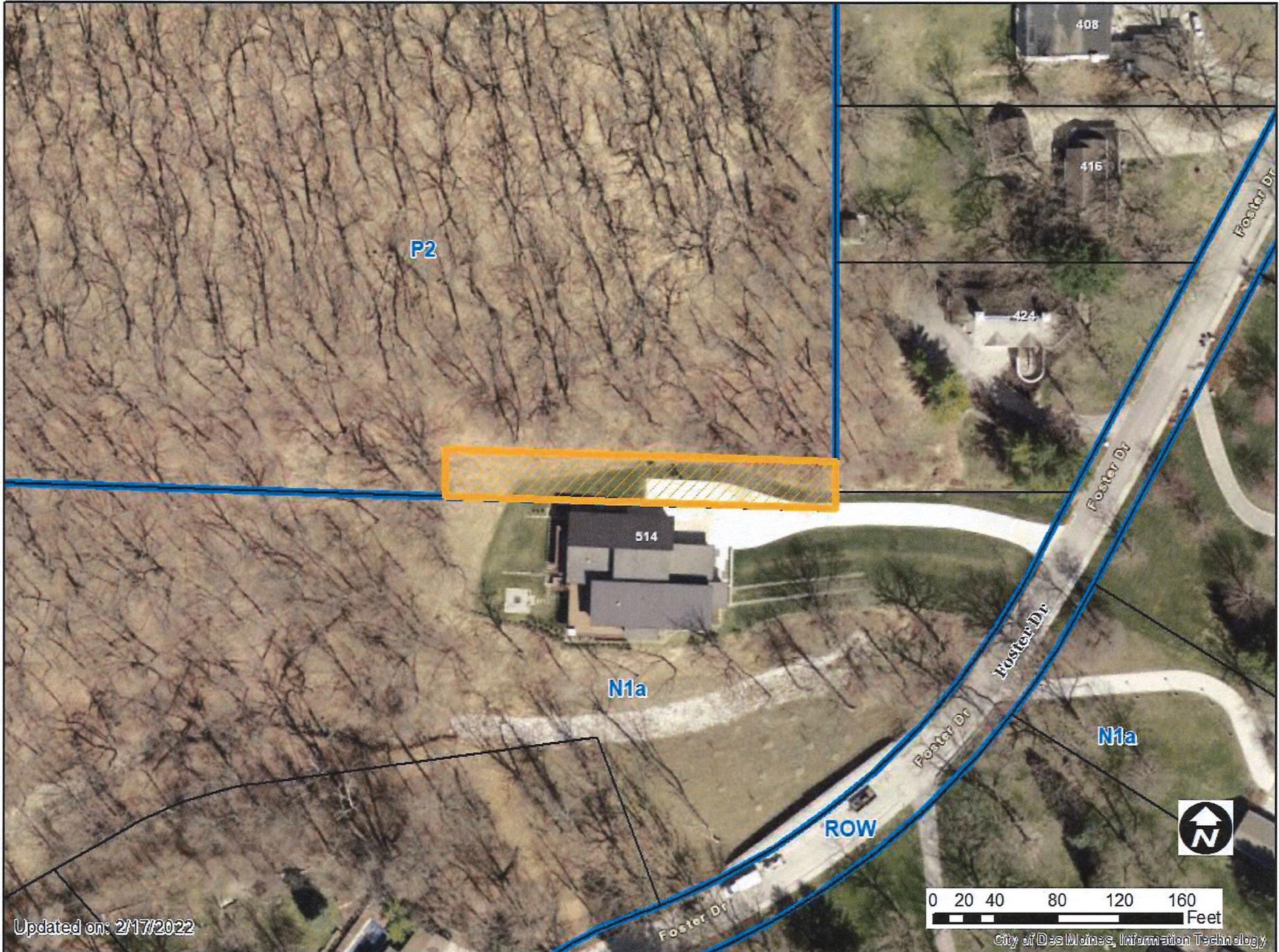
City of Des Moines, Information Technology

1 inch = 82 feet

63

Wendy & Dave Steffes, 514 Foster Drive

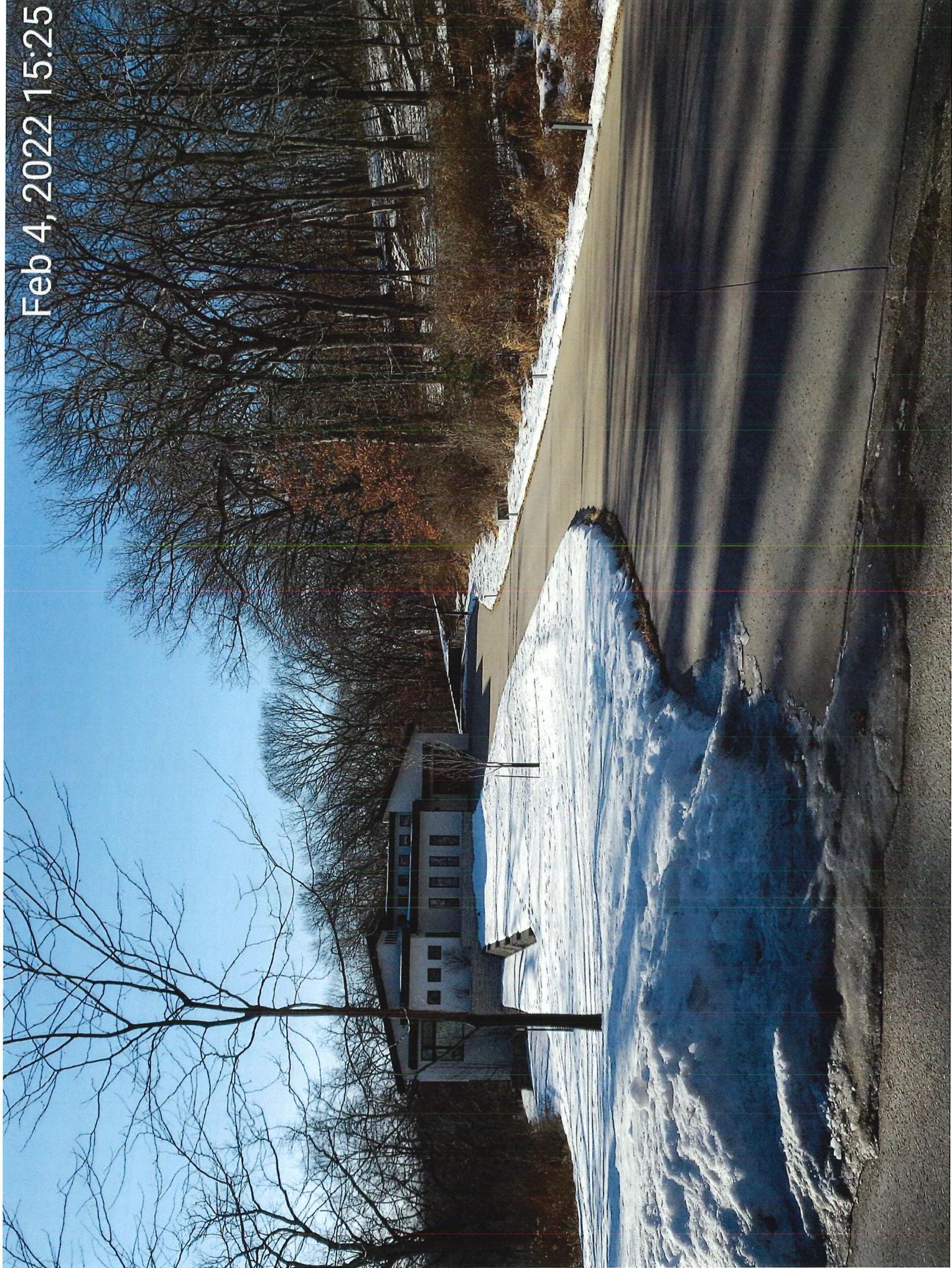
ZONG-2022-000005



Updated on: 2/17/2022

1 inch = 82 feet

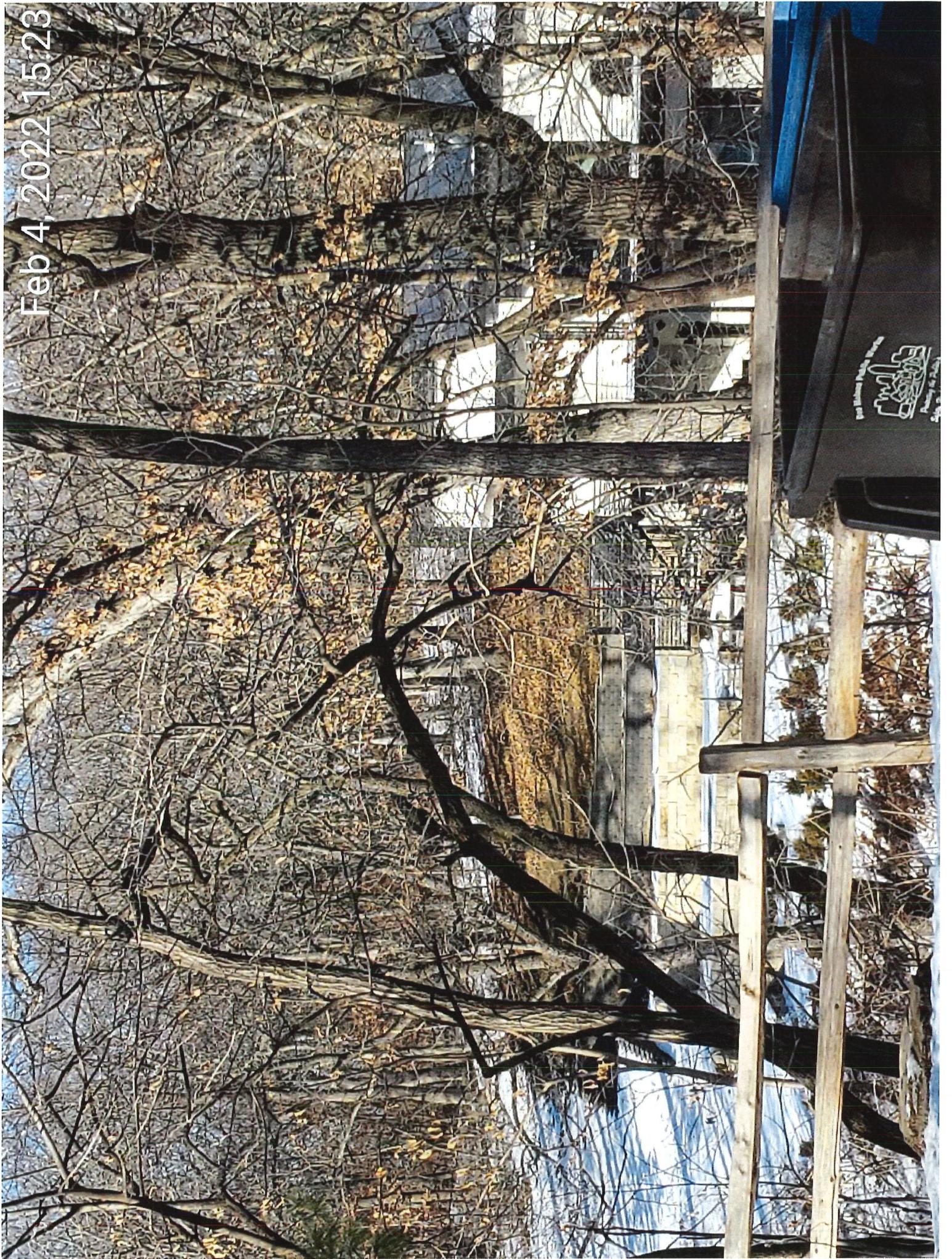
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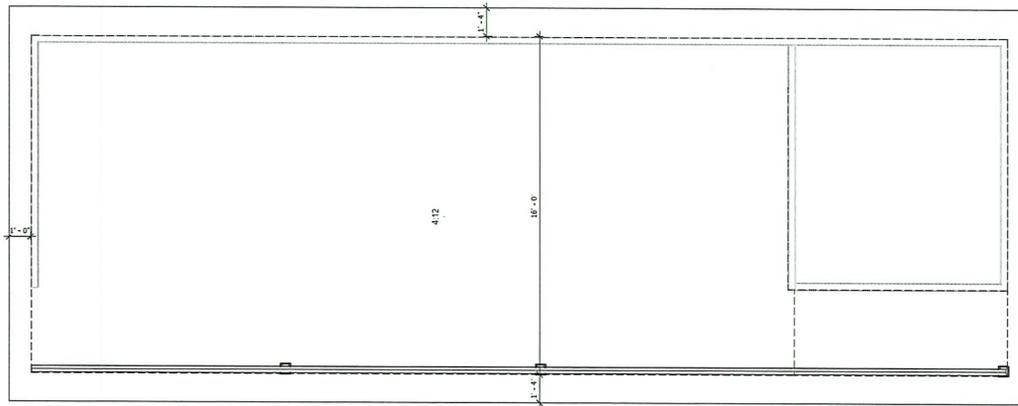


Feb 4, 2022 15:25

Feb 4, 2022 15:23



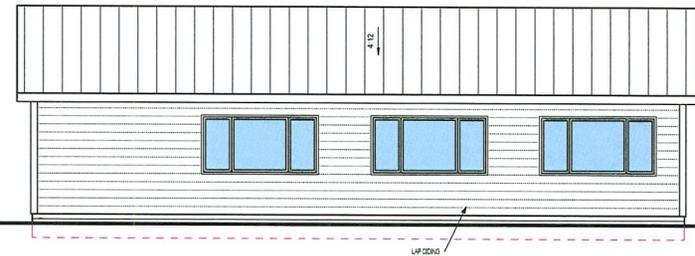




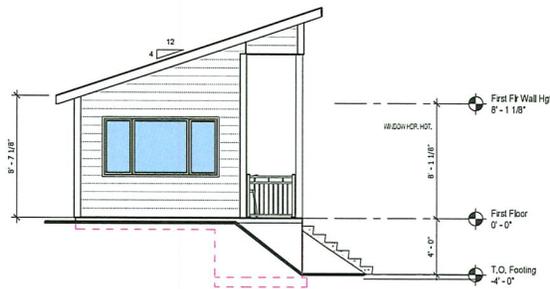
**ESTIMATED AREA - ROOF**  
246 SF



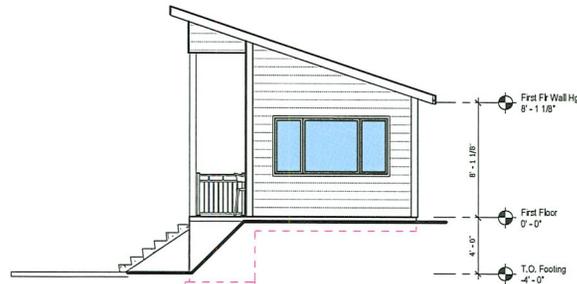
**1 FRONT ELEVATION**  
Scale: 1/8" = 1'-0"



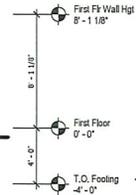
**2 REAR ELEVATION**  
Scale: 1/8" = 1'-0"



**3 LEFT ELEVATION**  
Scale: 1/8" = 1'-0"



**4 RIGHT ELEVATION**  
Scale: 1/8" = 1'-0"



Steffes Cabana

PROJECT ID:  
2557-1

ISSUE DATE:  
DATE: 04-21-21  
DATE: 04-28-21  
DATE: 05-21-21  
DATE: 06-16-21  
DATE:  
DATE:  
DATE:

**CONCEPTUAL RENDERING**  
FINAL PRODUCT COLLECTED FROM VISUALIZATION SOFTWARE

Elevations

As indicated

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A2



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**MEMBER**



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Creating where people live

Stieffes Cabana

PROJECT ID:  
2557-1

ISSUE DATE:  
DATE: 04-21-21  
DATE: 04-29-21  
DATE: 05-21-21  
DATE: 06-16-21  
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Foundation

1/2" = 1'-0"

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**GENERAL CONSTRUCTION NOTES**

1. EXTERIOR FINISHING ARE FROM THE OUTSIDE OF BEAMS TO OUTSIDE OF CENTERLINE OF FINISH FACE OF FOUNDATION.
2. INTERIOR FINISHING ARE FROM THE FACE OF STUD TO FACE OF STUD.
3. DIMENSIONS ARE COORDINATED FROM FINISH FLOOR TO FINISH FLOOR AND FINISH AREA.
4. ALL EXTERIOR DOOR THRESHOLDS INCLUDE A RAMP UNDER DOOR SILL.
5. REFER TO LOCAL BUILDING CODES FOR SPECIFIC CODES & REGULATIONS.
6. GARAGE WALLS ARE CONCRETE TO WALLS BY TYPE X GIP BOARD.
7. BASEMENT CEILING TO BE CEILING BY 4x10, 12 GIP BOARD OR PREPARED FOR FINISHING BY OTHER MEANS.

**LOAD PATH NOTES**

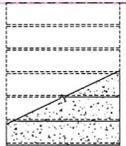
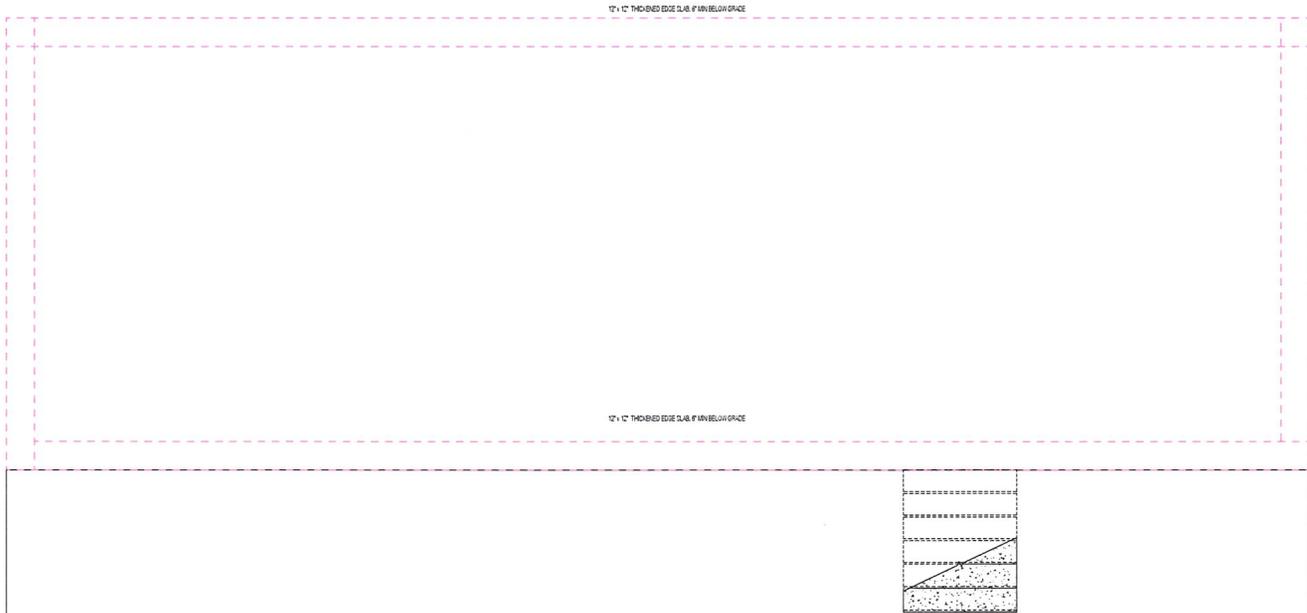
1. DRAINAGE PROVIDED ARE USED TO DETERMINE THE LOAD PATH ONLY.
2. REFER TO CC DRAWING A-10 FOR THE LOAD WEDGE DIRECTION.
3. ALL FOOTING TO BE MINIMUM 4" BELOW GRADE.
4. ALL EXTERIOR WALKWAYS TO BE 12" TO 18" UNLESS NOTED OTHERWISE. USE 1/2" JACO, 1/4" 1/8" IS 1/2" BELOW GRADE UNLESS NOTED OTHERWISE.
5. ALL HEADS AND BEAMS ARE DROPPED BELOW REED PLATE UNLESS NOTED AS FOLLOWS.
6. REFER TO WALL BRACE DRAWING FOR DETAILS UNLESS NOTED OTHERWISE.
7. ■ CHIRAL REPRESENTS CONCRETE BLOTTING.
8. ✖ CHIRAL REPRESENTS CONCRETE JOINT FROM ABOVE.
9. ———> EXTEND BEYOND THE LENGTH OF THE BEAM.
10. PROVIDE CONCRETE JOINTS AND JOINTS TO FOUNDATION OR BEAM HEADS IF BELOW FINISH FLOOR TO MATCHES DRAWING ABOVE.

**AREA SCHEDULE**

NAME	SQ FT
Pool House	738 SF
Grand total 1	738 SF

**ESTIMATED AREA - 4" FLATWORK**

LOCATION	AREA	CUBIC YARDS
Floor Garage	738 SF	0.1 CY
Floor Rear Patio	25 SF	0.3 CY
Floor Rear Patio	19 SF	0.1 CY



**GENERAL CONSTRUCTION NOTES**

1. EXTERIOR FINISHES ARE FROM THE OUTSIDE OF DIMENSIONS TO OUTSIDE OF DIMENSIONS UNLESS OTHERWISE NOTED.
2. INTERIOR FINISHES ARE FROM THE FACE OF STUD TO FACE OF STUD.
3. DIMENSIONS FOR DOOR AND WINDOW HEADS ARE BETWEEN GARAGE AND LIVING AREAS.
4. ALL EXTERIOR DOOR FINISH OPENINGS INCLUDE A FINISH DOOR SILL.
5. REFER TO LOCAL BUILDING CODES FOR SPECIFIC CODES AND LOCATIONS.
6. GARAGE WALLS AND CEILING TO BE MINIMUM 1/2" TYPE "B" BOARD.
7. KICKERIT CEILING TO BE COVERED BY A MIN. 1/2" GYP BOARD FOR FIRE PROTECTION. MIN. 1/2" GYP BOARD IS ALLOWED.

**LOAD PATH NOTES**

1. DRAWINGS PROVIDED ARE USED TO DETERMINE THE LOAD PATH FOR ALL.
2. REFER TO LOCAL BUILDING CODES FOR SPECIFIC CODES AND LOCATIONS.
3. ALL FOOTING TO BE MINIMUM 4" BELOW GRADE.
4. ALL EXTERIOR BEARING WALLS TO BE CONCRETE UNLESS OTHERWISE NOTED. USE 1 1/2" Lx 8" Lx 16" HD STUD OR 2" HD STUD UNLESS OTHERWISE NOTED.
5. ALL HORIZONTAL BEAMS ARE DROPPED BELOW DECK PLATE UNLESS NOTED OTHERWISE.
6. REFER TO WALL BRACK PAGE FOR DETAILS NOTED CS-HP, CS-PP, RPH, RT-BL, CS-RT-BL, RT-HP.
7. DIVISION REPRESENTS COULD BLOOD WALL.
8. DIVISION REPRESENTS COULD BLOOD WALL.
9. REFER TO BEYOND THE LENGTH OF THE LEADERS.
10. PROVIDE CONTIGUOUS LOAD PATHS TO FOUNDATION BEARING MEMBER BELOW WITH COULD BLOOD IS THAT MATCHES FRAMING ABOVE.

**AREA SCHEDULE**

NAME	SQ FT
Pool House	738 SF
Overall total	738 SF

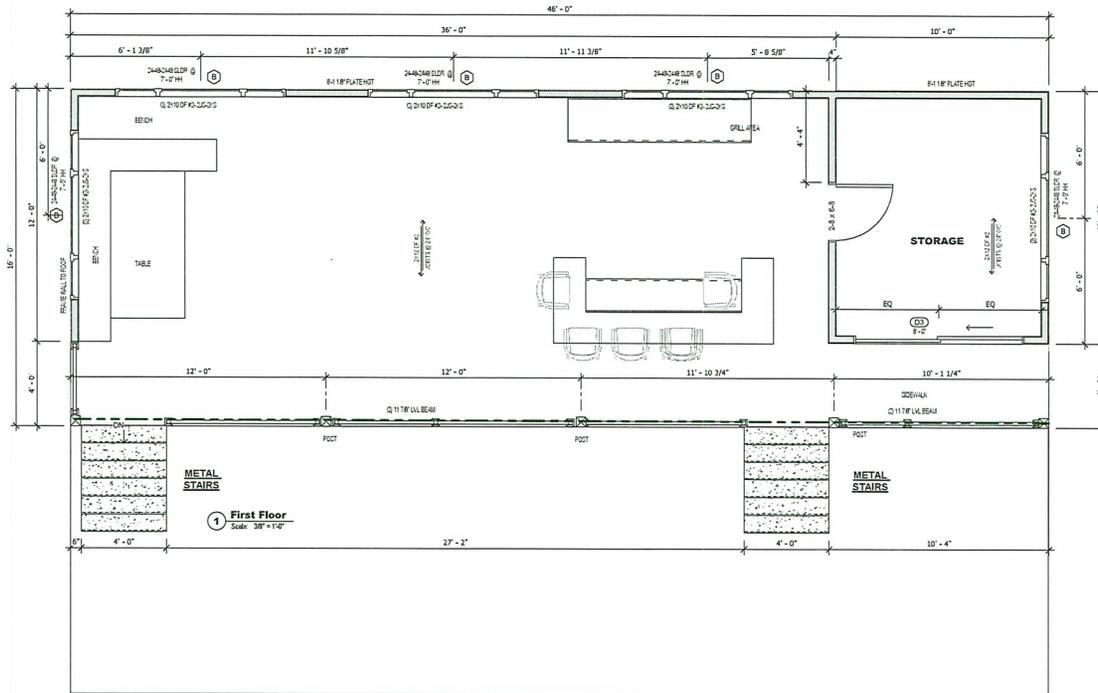
**ESTIMATED AREA - 4" FLATWORK**

LOCATION	AREA	CUBIC YARDS
Floor Garage	738 SF	1.1 CY
Floor Rear Patio	28 SF	0.3 CY
Floor Rear Pad	129 SF	1.1 CY

**ESTIMATED AREA - CEILING**

LEVEL	CEILING TYPE	AREA
First Floor	Ceiling - House	124 SF

1. ALL FINISHES TO BE FROM THE OUTSIDE OF DIMENSIONS UNLESS OTHERWISE NOTED.  
 2. DIMENSIONS FOR DOOR AND WINDOW HEADS ARE BETWEEN GARAGE AND LIVING AREAS.  
 3. ALL FINISHES TO BE FROM THE FACE OF STUD TO FACE OF STUD.  
 4. ALL EXTERIOR BEARING WALLS TO BE CONCRETE UNLESS OTHERWISE NOTED.



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**MEMBER**



Steffes Cabana

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2557-1

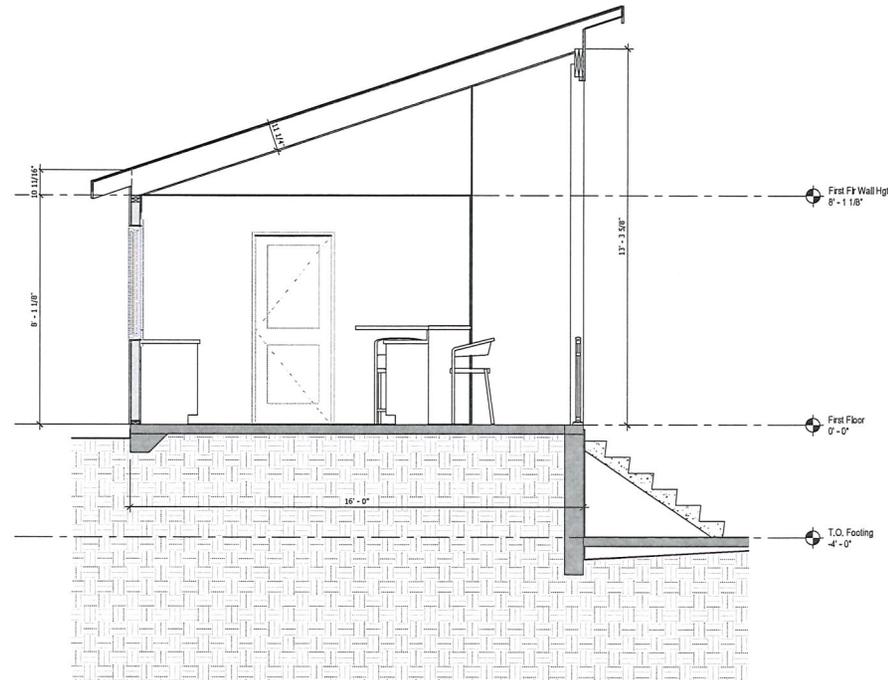
ISSUE DATE:  
 DATE: 04-21-21  
 DATE: 04-28-21  
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Main Floor

3/8" = 1'-0"

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Steffes Cabana

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2557-1

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Building  
Sections

1/2" = 1'-0"

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February 14, 2022

City of Des Moines Planning and Zoning  
602 Robert D. Ray Drive  
Des Moines, Iowa 50309  
(via email to: [NHMeeting@dmgov.org](mailto:NHMeeting@dmgov.org))

RE: Steffes Rezoning Application – Summary of Neighborhood Meeting

Dear Members of the Planning and Zoning Commission,

I am contacting you on behalf of my clients, David and Wendy Steffes, regarding their pending rezoning application for the small parcel immediately adjacent to 514 Foster Drive, Des Moines. As required by Des Moines Ordinance Section 134-6.1.6, this correspondence is intended to provide the Planning and Zoning Commission Members with a summary of the neighborhood meeting.

The neighborhood meeting for the Steffes' proposed rezoning was held on February 9, 2022 at 6:00 p.m. via Zoom and telephone conference. Notice of the neighborhood meeting was sent to property owners and neighborhood associations within 250 feet of the property. That notice was sent via regular mail on February 1, 2022 to all persons listed on the provided spreadsheet from the City of Des Moines. A copy of the spreadsheet provided by the City is attached. In attendance at the meeting was myself and Diane Kuhn on behalf of the Westwood Neighborhood Association. The meeting was brief, with Ms. Kuhn asking general questions about the location and intent of the property. After discussions, Ms. Kuhn confirmed that the Westwood Neighborhood Association has no concerns with the rezoning and made no suggested changes.

Please reach out to me if you have any questions.

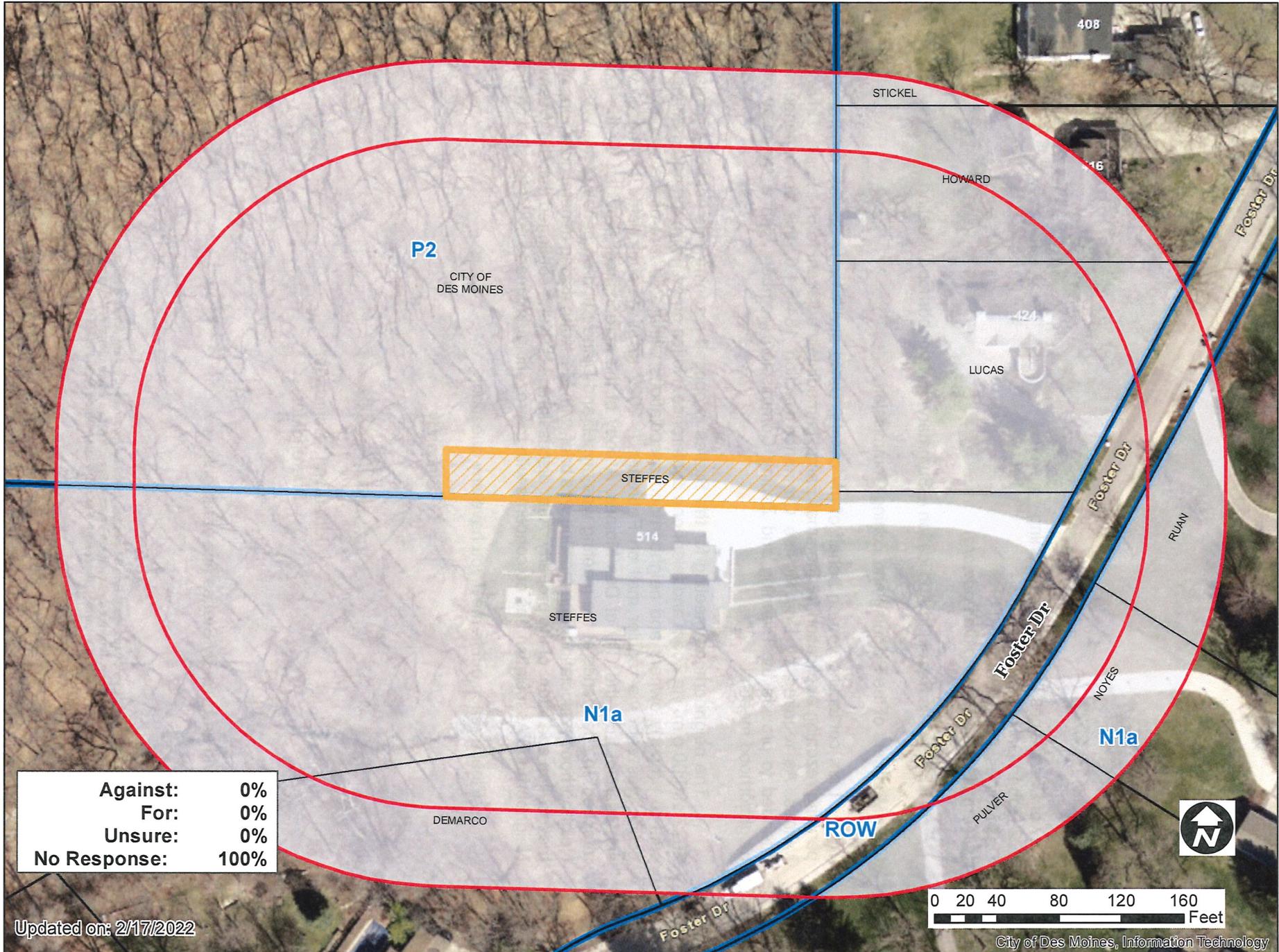
Sincerely,



Jonathon L. Schroeder  
Shareholder

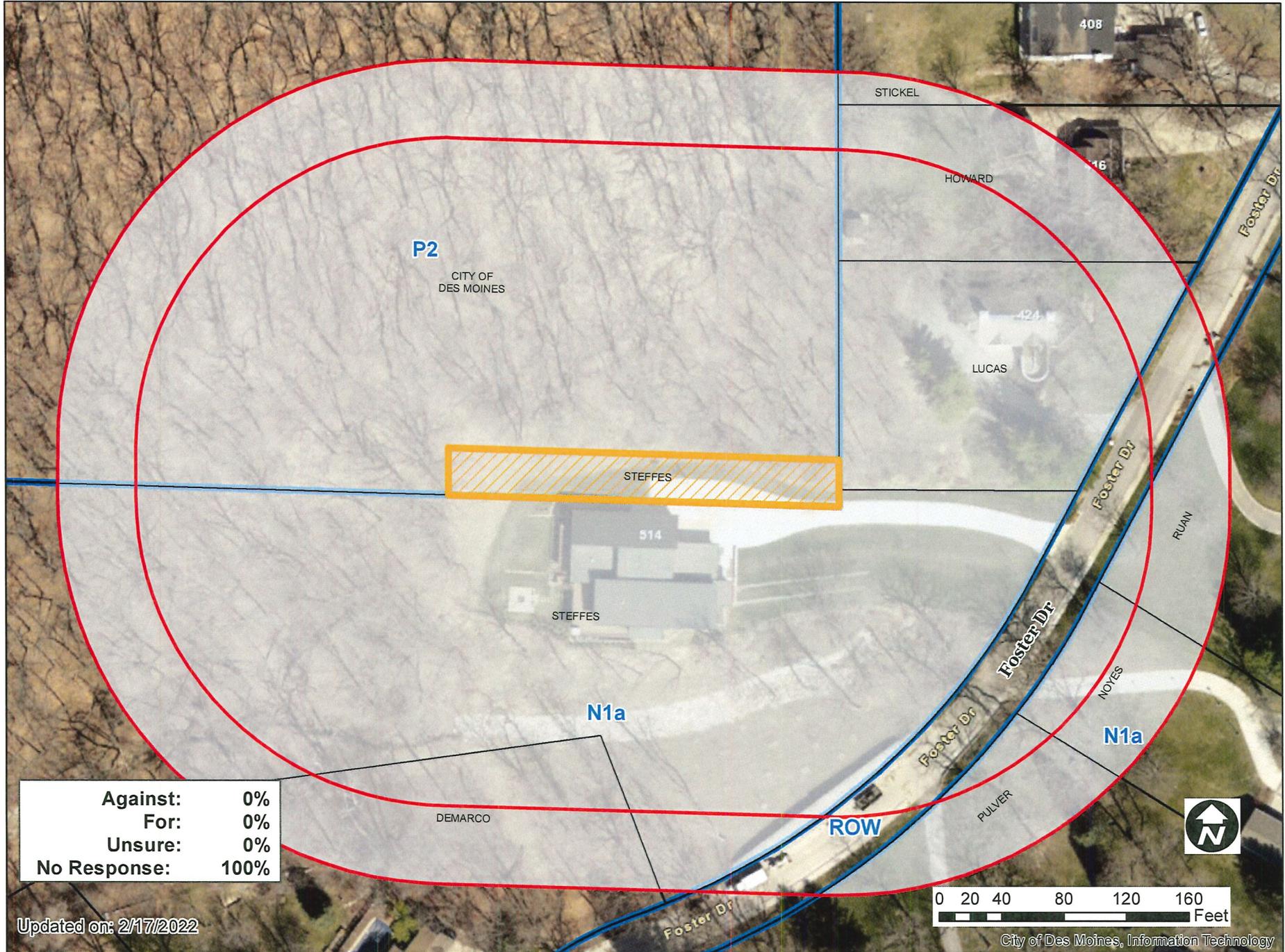
Encl.

Cc: David and Wendy Steffes (via email only)



Updated on: 2/17/2022

1 inch = 82 feet



Updated on: 2/17/2022

1 inch = 82 feet