



**Date** January 12, 2026

**RESOLUTION SETTING PUBLIC HEARING ON REQUEST FROM AUSTIN GILLIAM (OWNER), FOR THE FOLLOWING REGARDING PROPERTY LOCATED AT 3601 SOUTHWEST 56<sup>TH</sup> STREET, TO AMEND PLANDSM CREATING OUR TOMORROW PLAN TO REVISE THE FUTURE LAND USE CLASSIFICATION FROM BUSINESS PARK TO LOW DENSITY RESIDENTIAL, AND TO REZONE THE PROPERTY FROM “EX” MIXED-USE DISTRICT TO “N2B” NEIGHBORHOOD DISTRICT, TO ALLOW RECONSTRUCTION OF A ONE-HOUSEHOLD DWELLING UNIT**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on December 18, 2025, its members voted 10-0 in support of a motion finding the requested rezoning for Property located at 3601 Southwest 56<sup>th</sup> Street is not in conformance with the existing PlanDSM future land use designation of Business Park; and

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on December 18, 2025 its members voted 10-0 in support of a motion to recommend **APPROVAL** of a request from Austin Gilliam (Owner), to amend the PlanDSM: Creating Our Tomorrow future land use designation for Property at 3601 Southwest 56<sup>th</sup> Street from Business Park to Low Density Residential; to rezone the Property from “EX” Mixed-Use District to “N2b” Neighborhood District to allow for the reconstruction of a one-household dwelling unit, and determined the requested rezoning is in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan; and

**WHEREAS**, the Property is legally described as follows:

Beginning at the Northwest corner of the SW 1/4 NW 1/4 of Section 24, Township 78 North, Range 25 West of the 5<sup>th</sup> P.M., Polk County, Iowa, running thence South 10 rods; thence East 16 rods; thence North 10 rods; thence West 16 rods to the place of beginning, 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 attached communication from the Plan and Zoning Commission is hereby received and filed.
2. That the meeting of the City Council at which the proposed amendment to PlanDSM Creating Our Tomorrow Comprehensive Plan and proposed rezoning are to be considered, and at which time the City Council will hear both those who oppose and those who favor the proposal, shall be held at 5:00 p.m. on January 26, 2026 in the Council Chambers, City Hall, 400 Robert D. Ray, Drive, Des Moines.
3. That the City Clerk is hereby authorized and directed to cause notice of said proposal in the



## Roll Call Number

## Agenda Item Number

20

Date January 12, 2026

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 \_\_\_\_\_

Second by \_\_\_\_\_:

FORM APPROVED:

/s/ Emily A. Duffy

Emily A. Duffy

### Assistant City Attorney

(ZONG-2025-000030)

(COMP-2025-000021)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
SIMONSON				
VOSS				
BARRON				
WESTERGAARD				
MANDELBAUM				
GATTO				
<b>TOTAL</b>				

## CERTIFICATE

I, LAURA BAUMGARTNER, 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



January 5, 2026

Communication from the City Plan and Zoning Commission advising that at their December 18, 2025 meeting, the following action was taken on request from Austin Gilliam (owner), for the following regarding property located at 3601 Southwest 56<sup>th</sup> Street:

- A) Determination as to whether the requested rezoning is in conformance with the PlanDSM: Creating Our Tomorrow Comprehensive Plan.
- B) Amend the PlanDSM Creating Our Tomorrow Comprehensive Plan to revise the future land use classification of the property from Business Park to Low Density Residential.
- C) Rezone property from "EX" Mixed-Use District to "N2b" Neighborhood District, to allow reconstruction of a one-household dwelling unit.

**COMMISSION RECOMMENDATION: 10-0**

After public hearing, the members voted as follows:

Commission Action:	Yes	Nays	Pass	Abstain	Absent
Francis Boggus	X				
Leah Rudolphi	X				
Chris Draper	X				
Laura Kessel	X				
Todd Garner					X
Johnny Alcivar	X				
Carolyn Jenison	X				
William Page	X				
Andrew Lorentzen					X
Emily Webb					X
Katie Gillette	X				
Rick Trower	X				
Jane Rongerude					X
John Erpelding	X				

**Approval of the following:**

Part A) The requested “N2b” District be found not in conformance with the existing PlanDSM future land use designation of Business Park.

Part B) Amend the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use designation from Business Park to Low Density Residential.

Part C) Rezone the property from “EX” Mixed-Use District to “N2b” Neighborhood District.

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

Part A) Staff recommends that the requested “N2b” District be found not in conformance with the existing PlanDSM future land use designation of Business Park.

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 Business Park to Low Density Residential.

Part C) Staff recommends approval of the request to rezone the property from “EX” Mixed-Use District to “N2b” Neighborhood District.

**STAFF REPORT TO THE PLANNING COMMISSION**

**I. GENERAL INFORMATION**

**1. Purpose of Request:** The applicant is proposing to rezone the subject property to allow reconstruction of an existing one-household residential structure. The existing house would be demolished. A submitted concept sketch shows a new 1,800 square foot home and attached garage in the rear yard. An existing detached garage and driveway is proposed to be retained. A rezoning from the current “EX” District to “N2b” District is required to allow a residential use on the subject property.

Any future construction or redevelopment on the subject properties 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:** 0.821 acres (35,750 square feet).

**3. Existing Zoning (site):** “EX” Mixed-Use District.

**4. Existing Land Use (site):** The subject property is a corner lot containing a one-household residential structure and a detached garage.

**5. Adjacent Land Use and Zoning:**

**North** – “PUD”; Uses are vacant land and light industrial office and warehouse building.

**South** – ‘EX”; Uses are industrial and one-household residential.

**East** – “EX”; Uses are one-household residential.

**West** – “N2b”; Uses are one-household residential.

6. **General Neighborhood/Area Land Uses:** The subject property is located on the corner of Southwest 56<sup>th</sup> Street where it curves west and immediately southward towards Watrous Avenue. A MidAmerican substation is proposed to be located to the north of the subject property. There is low density residential to the west and light industrial uses in the surrounding areas.
7. **Applicable Recognized Neighborhood(s):** The subject property is located in the Southwestern Hills Neighborhood Association. All neighborhood associations were notified of the public hearing by emailing the Preliminary Agenda on November 26, 2025, and of the Final Agenda on December 12, 2025.

Additionally, an official public notice of the hearing for this specific item was mailed on November 26, 2025 (20 days before the hearing), and on December 8, 2025 (10 days before the hearing), to any Neighborhood Association and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site or adjacent to the site. All Neighborhood Association mailings are sent to the primary contact designated by the recognized Neighborhood Association on file with the City of Des Moines’ Neighborhood Services Department.

The applicant can provide a summary of the neighborhood meeting at the public hearing.

8. **Relevant Zoning History:** In 2019, the City of Des Moines adopted a new Zoning Code and rezoned the entire city to match the new code structure. The subject property was rezoned to “EX” Mixed-Use District as part of the citywide rezoning.
9. **PlanDSM: Creating Our Tomorrow Plan Land Use Plan Designation:** Business Park.
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 "Business Park" to "Low Density Residential". PlanDSM describes these designations as follows:

Business Park: *Accommodates light industrial, office and employment uses along with limited complementary retail uses. Industrial uses in this category would produce little or no noise, odor, vibration, glare, or other objectionable influences and would have little or no adverse effect on surrounding properties.*

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 parcel is currently zoned "EX" District. The Zoning Ordinance describes "EX" District as, "intended for locations and corridors with a mix of light industrial and heavier commercial uses, accommodating higher levels of vehicular traffic than MX districts and a predominance of mid-scale employment uses, such as office, low intensity industrial, and warehouse spaces associated with offices."

The applicant is proposing to rezone the parcel to the "N2b" District. The Zoning Ordinance describes this district as, "intended for contemporary, mid-size lots for single- and two-household residential houses within a more flexible building form and located in contemporary neighborhoods pursuant to House A building type in section 135-2.13 of this code."

Staff believes that the proposed Low Density Residential designation is appropriate for this site since the subject property includes a pre-existing residential use. While there is light industrial and business park uses in the area, low density residential uses also exist in the immediate vicinity of the subject property. The proposed rezoning which allows reconstruction of the existing house and other site improvements are appropriate so long as all construction complies with applicable site plan and design regulations of the City's Planning and Design Ordinance.

- 2. Southwest 56<sup>th</sup> Street Realignment:** A future realignment of the Southwest 56<sup>th</sup> Street is proposed as part of the Southwest Infrastructure Study. Southwest 56<sup>th</sup> Street, adjoining the subject property, jogs south making a couple sharp turns to the west and south thereby creating safety and visibility concerns for the travelling public. While the realignment of Southwest 56<sup>th</sup> Street is a long term recommendation and not currently programmed for implementation, there could potentially be some future minor property line/Right-of-way impacts in the northwest corner of the subject property. However, such improvement would not likely have an impact on the construction of the new house as proposed.
- 3. Planning and Design Ordinance Requirements:** Any development must comply with all applicable site plan and design regulations of the City's Planning and Design Ordinance. Should the rezoning be approved, the applicant would be required to prepare a Site Plan

and building elevations for review before the property can be occupied by the proposed use.

### **III STAFF RECOMMENDATION**

Part A) Staff recommends that the requested “N2b” District be found not in conformance with the existing PlanDSM future land use designation of Business Park.

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 Business Park to Low Density Residential.

Part C) Staff recommends approval of the request to rezone the property from “EX” Mixed-Use District to “N2b” Neighborhood District.

### **COMMISSION ACTION**

Rick Trower made motion for approval of the following:

Part A) The requested “N2b” District be found not in conformance with the existing PlanDSM future land use designation of Business Park.

Part B) Amend the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use designation from Business Park to Low Density Residential.

Part C) Rezone the property from “EX” Mixed-Use District to “N2b” Neighborhood District.

### **THE VOTE: 10-0**

Respectfully submitted,

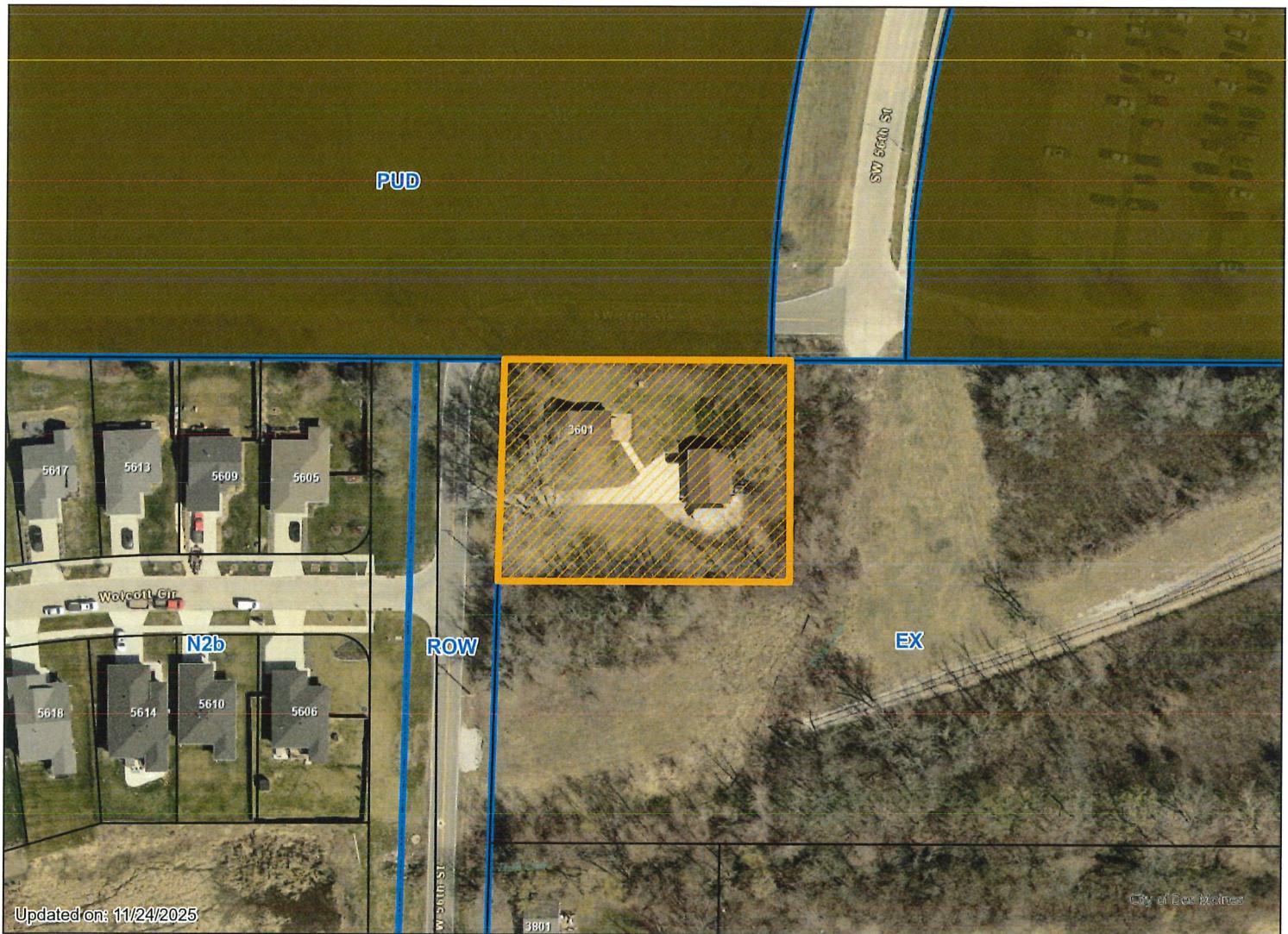


Bert Drost, AICP  
Planning & Urban Design Deputy Administrator

BAD:mrw

Austin Gilliam, 3601 SW 56th Street

ZONG-2025-000030



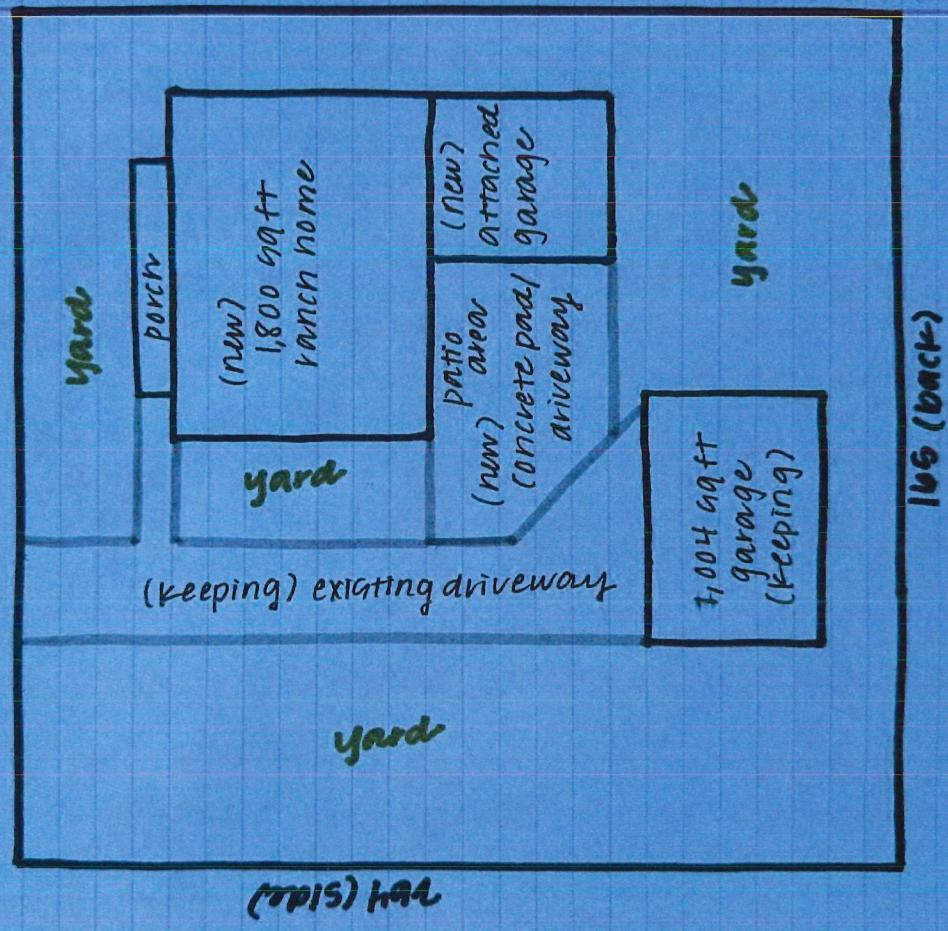






Google Maps

9W 6th St. (front)



**From:** [Loren Gilliam](#)  
**To:** [Chakraborty, Sreyoshi](#)  
**Cc:** [Beron, Shawna M.](#); [Hutchens, Jordan S.](#)  
**Subject:** Re: 3601 SW 56th St  
**Date:** Tuesday, November 25, 2025 7:03:17 PM  
**Attachments:** [image001.png](#)

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EXTERNAL EMAIL - This email was sent by a person from outside your organization. Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

Sreyoshi,

I wanted to keep you posted and give an update on our neighborhood meeting, and also let you know that we did get those invoices paid.

We ended up holding the meeting last week, but no one actually showed up. However, a couple of the neighbors across the street reached out separately and shared their support and excitement about us rebuilding.

George Davis (on the list) also stopped by and spoke with us briefly. He shared his support, mentioned how much he loves the property, and said he's excited for us.

Let me know if there's anything else you need from me prior to our meeting on December 18th.

Thanks, and have a great holiday!

Loren Gilliam

On Thu, Oct 16, 2025 at 12:03 PM Chakraborty, Sreyoshi <[SChakraborty@dmgov.org](mailto:SChakraborty@dmgov.org)> wrote:

Loren,

I have reviewed and processed your application. All fees are payable at this time including – rezoning, landuse plan amendment and public notification. I have invoiced you the respective fees on CSS. Please let me know if you are not seeing the invoices.

Additionally, I am attaching the address list and guidelines to do a neighborhood meeting which is required for all rezoning requests. The meeting must be completed before your scheduled hearing with the Plan and Zoning Commission and short summary sent to staff.

If you are able to complete the meeting in time and if the date works for you, I can pencil you in

Item: ZONG-2025-000030

Date: December 10, 2025

Please mark one of the following:

- I support the request
- I am undecided
- I oppose the request

Staff Use Only  
**RECEIVED**  
DEVELOPMENT SERVICES

**DEC 17 2025**

Titleholder Signature: Michelle Tietz/ Sharr Kienan

Name/Business: \_\_\_\_\_

Impacted Address: 5605 100/cott Circle

Comments: \_\_\_\_\_

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Item: ZONG-2025-000030

Date: \_\_\_\_\_

Please mark one of the following:

- I support the request
- I am undecided
- I oppose the request

Staff Use Only

**RECEIVED**  
**DEVELOPMENT SERVICES**  
**DEC 17 2025**

Titleholder Signature: George Davis

Name/Business: Southwest Hills Neighborhood Assoc.

Impacted Address: \_\_\_\_\_

Comments: We support this Application.

Austin Gilliam, 3601 SW 56th Street

ZONG-2025-000030

