



Roll Call Number

18.0462

Agenda Item Number

29

Date March 19, 2018

RESOLUTION SETTING HEARING ON REQUEST FROM
PHONEVILAY BOUN TO REZONE PROPERTY AT
1625-1645 EAST DIEHL AVENUE, 1540-1580 HART AVENUE AND 1545-1575 HART AVENUE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on March 1, 2018, its members voted 10-0-1 in support of a motion to recommend APPROVAL of a request from Phonevilay Boun (owner) to rezone property locally known as 1625-1645 East Diehl Avenue, 1540-1580 Hart Avenue and 1545-1575 Hart Avenue (collectively "Property") from "R1-80" One-Family Residential District to Limited "R1-60" One-Family Low-Density Residential District, to allow subdivision of the Property with 60-foot wide single-family dwelling lots, subject to the following rezoning conditions:

- 1. A minimum of one street tree shall be provided per lot frontage within the development that complies with the City's street tree policies. Each tree shall be installed prior to the issuance of a Certificate of Occupancy for the dwelling constructed on that lot.
2. No same house plan shall be built on adjacent lots.
3. Each house shall have a full basement.
4. Each house shall have a minimum two-car attached garage.
5. The front facade of any house constructed must contain one of the following:
a. A front porch of not less than 60 square feet; or
b. Stone or brick masonry siding covering at least 1/3 of the facade.
6. All windows and doors shall have trim that is no less than 4-inches in width.
7. The roof on any house constructed shall be of asphalt type shingles or cedar shakes. Standard 3-tab shingles are prohibited.
8. Single story homes shall be constructed with a minimum of 1,400 square feet of above grade finished floor area.
9. 1 1/2 story homes shall be constructed with a minimum of 1,600 square feet of above grade finished floor area with a minimum of 1,000 square feet on the first floor.
10. 2-story homes shall be constructed with a minimum of 1,800 square feet of above grade finished floor area.
11. Exterior material for any home constructed shall be masonry (brick or stone), vinyl of no less than 0.042 thickness, cedar, masonite, or cement fiber board.
12. Any chain link fence shall have black vinyl-cladding; and

WHEREAS, the Property to be rezoned is legally described as follows:

Lot 23, 24, 25, 26, and 27 in CAPITOL VIEW ACRES, an Official Plat now included in and forming a part of the City of Des Moines, Polk County, Iowa.

And

Lot 12 (Except the South 70 feet of the West 425 feet thereof) and Lots 13 and 14 in NEW HOPE, an Official Plat 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.



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- 2. That the meeting of the City Council at which the proposed rezoning is to be considered shall be held at the Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on April 9, 2018, at which time the City Council will hear both those who oppose and those who favor the proposal.
- 3. 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 Gatto TO ADOPT.

FORM APPROVED:

Glenna K. Frank
Glenna K. Frank, Assistant City Attorney

(ZON2018-00013)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	7			
MOTION CARRIED			APPROVED	

T. M. Franklin Mayor

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.

Diane Rauh

City Clerk