



Roll Call Number

18-0875

Agenda Item Number

33

Date May 21, 2018

RESOLUTION SETTING HEARING ON REQUEST FROM SUMMER YEE SONG TO REZONE PROPERTY AT 4750 SOUTHWEST 31ST STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on May 3, 2018, its members voted 12-0 in support of a motion to recommend APPROVAL of a request from Summer Yee Song (purchaser), to rezone property locally known as 4750 Southwest 31st Street ("Property") from "M-3" Limited Industrial District to Limited "R1-80" One-Family Residential District, to allow the development of a single-family dwelling, subject to the following rezoning conditions:

- 1. Sidewalks shall be constructed along the adjoining public street frontages with any development of a single-family dwelling.
2. Vehicular driveway access shall only be developed from Southwest 31st Street. Vehicular access to McKinley Avenue is prohibited.
3. Any single-family dwelling constructed on the subject property shall adhere to the following:
a. Shall be constructed to have a full basement.
b. Shall be constructed to have minimum 2-car attached garage.
c. Shall be constructed so that the front facade of any dwelling must contain one of the following:
i. A front porch of not less than 60 square feet; or
ii. At least 1/3 of the facade shall be clad with stone or brick masonry.
d. Shall be constructed to have windows on any facade facing a public street with either of the following:
i. Trim border not less than 4 inches in width; or
ii. Shutters on each side.
e. Shall be constructed with a roof having asphalt type shingles or cedar shakes. Standard 3-tab shingles are prohibited.
f. Shall be constructed with a minimum of 1,200 square feet of above grade finished floor area.
g. Shall be constructed so that any 1 1/2 and 2-story homes have a minimum of 1,400 square feet of above grade finished floor area.
h. Shall be constructed with exterior material of masonry (brick or stone), cedar, masonite, or cement fiber board.
i. Any fence within the front yard setbacks shall have black vinyl-cladding or be of a black-clad decorative metal design. A solid wood fence may be built in accordance with provisions for corner lots; and

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

THAT PART OF LOTS 2, 3, 4, AND 5 AIRPORT HEIGHTS, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 2; THENCE SOUTH 00°14'58" WEST, A DISTANCE OF 156.64 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF MCKINLEY AVENUE, AS PRESENTLY ESTABLISHED, SAID POINT ALSO BEING A POINT OF CUSP ON A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 763.50 FEET AND A CENTRAL ANGLE OF 24°02'55" AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 65°20'37"

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WEST 318.12 FEET; THENCE WESTERLY AND NORTHWESTERLY ALONG SAID CURVE AND SAID RIGHT-OF-WAY LINE, A DISTANCE OF 320.46 FEET; THENCE NORTH 00°11'57" EAST, A DISTANCE OF 25.11 FEET; THENCE SOUTH 89°45'58" EAST, A DISTANCE OF 289.71 FEET TO THE POINT OF BEGINNING, CONTAINING 0.69 ACRES, MORE OR LESS, AND SUBJECT TO ANY OTHER EASEMENTS OR RESTRICTIONS OF RECORD.

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 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 June 11, 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 Gray TO ADOPT.

FORM APPROVED:

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

(ZON2018-00066)

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