



**Roll Call Number**

19-1270

**Agenda Item Number**

70

**Date** August 5, 2019

**RESOLUTION CONTINUING HEARING ON REQUEST FROM 50<sup>TH</sup> AND DOUGLAS, LLC TO REZONE PROPERTY IN THE VICINITY OF 3905 50<sup>TH</sup> STREET**

**WHEREAS**, on August 20, 2018, by Roll Call No. 18-1404, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on August 2, 2018, its members voted 11-0 in support of a motion to recommend **APPROVAL** of a request from 50<sup>th</sup> and Douglas, LLC (owner), represented by Matt Connolly (officer), to rezone real property in the vicinity of 3905 50<sup>th</sup> Street (“Property”) from “R1-60” One-Family Low-Density Residential District to “PUD” Planned Unit Development District, and for approval of a PUD Conceptual Plan “Beaverdale Townhomes”, for development of approximately 2.74 acres for 21 rowhouse one-story townhomes on a private drive accessed from 50<sup>th</sup> Street, subject to the revisions to the PUD Conceptual Plan as stated in said Roll Call; and

**WHEREAS**, on August 20, 2018, by Roll Call No. 18-1404, it was duly resolved by the City Council that the application from 50<sup>th</sup> and Douglas, LLC to rezone the Property and for approval of the PUD Conceptual Plan, be set down for hearing on September 10, 2018 at 5:00 P.M., in the Council Chamber at City Hall; 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 amendment to the Zoning Ordinance; and

**WHEREAS**, on September 10, 2018, by Roll Call No. 18-1557, the City Council opened and continued the public hearing to October 22, 2018 at 5:00 p.m. in the Council Chambers at the applicant’s request; and

**WHEREAS**, on October 22, 2018, by Roll Call No. 18-1795, the City Council opened and continued the public hearing to December 17, 2018 at 5:00 p.m. in the Council Chambers at the applicant’s request; and

**WHEREAS**, on December 17, 2018, by Roll Call No. 18-2109, the City Council opened and continued the public hearing to February 25, 2019 at 5:00 p.m. in the Council Chambers at the applicant’s request; and

**WHEREAS**, on February 25, 2019, by Roll Call No. 19-0313, the City Council opened and continued the public hearing to May 6, 2019 at 5:00 p.m. in the Council Chambers at the applicant’s request; and

**WHEREAS**, on May 6, 2019, by Roll Call No. 19-0754, the City Council opened and continued the public hearing to August 5, 2019 at 5:00 p.m. in the Council Chambers at the applicant’s request; and

**WHEREAS**, the applicant has again requested that the public hearing be further continued to December 2, 2019, to allow the applicant and its consultant time to review the City’s Stormwater Division stormwater analysis for the subject property and surrounding area.

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NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the public hearing on the proposed rezoning of 3905 50<sup>th</sup> Street from "R1-60" One-Family Low-Density Residential District to "PUD" Planned Unit Development District, and for approval of a PUD Conceptual Plan "Beaverdale Townhomes", is hereby further continued to the City Council meeting on December 2, 2019, at 5:00 p.m. in the Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa.

MOVED BY Coleman TO ADOPT.

FORM APPROVED:

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

(ZON2018-00137)

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

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.

J. M. Franklin Cownie Mayor

Diane Rauh City Clerk