



Roll Call Number

19-1358

Agenda Item Number

53

Date August 19, 2019

RESOLUTION HOLDING HEARING ON REQUEST FROM GRASSO PROPERTIES ONE, LLC TO REZONE PROPERTY LOCATED AT 3908 LOWER BEAVER ROAD

WHEREAS, on August 5, 2019, by Roll Call No. 19-1212, the City Council received a communication from the City Plan and Zoning Commission has advised that at a public hearing held on July 15, 2019, its members voted 13-0 in support of a motion to recommend **APPROVAL** of a request from Grasso Properties One, LLC (owner), represented by Steve Grasso (officer), to rezone property located at 3908 Lower Beaver Road ("Property") from "R1-60" One-Family Low-Density Residential District to Limited "R-2" Two-Family Residential District, to allow for demolition of the existing single-family dwelling on the Property and redevelopment with a two-family dwelling, subject to the following conditions:

1. Construction of any dwelling shall be in substantial compliance with the submitted design and materials or of a design equivalent in quality as determined by the Planning Administrator.
2. Exterior material for each dwelling units constructed shall be masonry (brick or stone), vinyl of no less than 0.042 thickness, cedar, cement fiber board or other composite materials generally equal in quality to cement fiber board as approved by the Planning Administrator.
3. The front façade of each unit 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 façade.
4. All windows and doors on any dwelling shall have trim that is no less than 4 nominal inches in width and shall have pre-hung exterior doors with trim.
5. The roof on each dwelling unit constructed shall be of architectural profile asphalt type shingles or cedar shakes. Standard 3-tab shingles are prohibited.
6. A minimum of one street tree per lot frontage 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.
7. Any mechanical equipment shall be located in the rear or side yard of the building.
8. Any unit in a 1- or 2-household dwelling shall be constructed with a minimum of 1,300 square feet of finished floor area.
9. Any dwelling or accessory structure shall be constructed in compliance with all applicable building codes with issuance of all necessary permits by the Permit and Development Center; and

WHEREAS, on August 5, 2019, by Roll Call No. 19-1212, it was duly resolved by the City Council that the application from Grasso Properties One, LLC to rezone the Property be set down for hearing on August 19, 2019 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



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WHEREAS, in accordance with said notice, those interested in said proposed rezoning, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council; and

WHEREAS, the Legal Department has prepared an amendment to the Zoning Ordinance of the City of Des Moines to rezone the Property located at 3908 Lower Beaver Road, legally described as:

EXCEPT THE WEST 78 FEET, LOT 66 IN HALLETT ACRES, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

from "R1-60" One-Family Low-Density Residential District to Limited "R-2" Two-Family Residential District, to allow for demolition of the existing single-family dwelling on the Property and redevelopment with a two-family dwelling, subject to the conditions set forth above.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

- 1. Upon due consideration of the facts, and any and all statements of interested persons and arguments of counsel, any objections to the proposed rezoning of the Property to Limited "R-2" Two-Family Residential District, with conditions as set forth above, are hereby overruled, and the hearing is closed.
2. The proposed rezoning of the Property, as legally described above, to Limited "R-2" Two-Family Residential District, is hereby found to be in conformance with the PlanDSM: Creating Our Tomorrow Land Use Plan and is approved, subject to conditions set forth above and subject to final passage of an ordinance rezoning the Property as set forth herein.

MOVED BY Gray TO ADOPT.

FORM APPROVED:

Glenna K. Frank, Assistant City Attorney

(ZON2019-00116)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, COLEMAN, GATTO, GRAY, MANDELBAUM, WESTERGAARD, and TOTAL. Includes MOTION CARRIED and APPROVED labels.

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