



Roll Call Number

19-1398

Agenda Item Number

32

Date September 9, 2019

**RESOLUTION SETTING HEARING ON CITY-INITIATED REQUEST TO REZONE
PROPERTY LOCATED IN THE VICINITY OF 150 EAST COUNTY LINE ROAD**

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on September 5, 2019, its members voted 11-0 in support of a motion to recommend **APPROVAL** of a City-initiated request to rezone real property in the vicinity of 150 East County Line Road ("Property") to correct scrivener's errors in the existing Limited "R1-60" One-Family Low-Density Residential District by amending certain rezoning conditions listed in Ordinance No. 15,592 as approved on June 26, 2017 and the Acceptance of Rezoning Conditions related thereto, subject to the following conditions:

- (1) Street trees shall be provided along East County Line Road at the time public improvements are installed for the development, and shall comply with the City's street tree policies.
- (2) 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.
- (3) No same house plan shall be built on adjacent lots.
- (4) Each house shall have a full basement.
- (5) Each house shall have a minimum two-car attached garage.
- (6) The front façade 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 façade.
- (7) All windows and doors shall have trim that is no less than 4-inches in width.
- (8) The roof on any house constructed shall be of asphalt type shingles or cedar shakes. Standard 3-tab shingles are prohibited.
- (9) Single story homes on Conceptual Plan Lots 1-4 also known as Lots 1-3 on final plat, Conceptual Plan Lots 25-32 also known as Lots 24-31 on final plat, Conceptual Plan Lots 37-44 also known as 36-43 on final plat, and Conceptual Plan Lots 49-52 also known as 48-51 on final plat, shall be constructed with a minimum of 1,300 square feet of above-grade finished floor area. Single story homes on Conceptual Plan Lots 5-24 also known as Lots 4-23 on final plat, Conceptual Plan Lots 33-36 also known as Lots 32-35 on final plat, and Conceptual Plan Lots 45-48 also known as Lots 44-47 on final plat, shall be constructed with a minimum of 1,400 square feet of above-grade finished floor area.
- (10) 1½ story homes on Conceptual Plan Lots 1-4 also known as Lots 1-3 on final plat, Conceptual Plan Lots 25-32 also known as Lots 24-31 on final plat, Conceptual Plan Lots 37-44 also known as Lots 36-43 on final plat, and Conceptual Plan Lots 49-52 also known as Lots 48-51 on final plat, shall be constructed with a minimum of 1,500 square feet of above-grade finished floor area with a minimum of 1,000 square feet on the first floor. 1½ story homes on Conceptual Plan Lots 5-24 also known as Lots 4-23 on final plat, Conceptual Plan Lots 33-36 also known as Lots 32-35 on final plat, and Conceptual Plan Lots 45-48 also known as Lots 44-47 on final plat, 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.
- (11) 2 story homes on Conceptual Plan Lots 1-4 also known as Lots 1-3 on final plat, Conceptual Plan Lots 25-32 also known as Lots 24-31 on final plat, Conceptual Plan Lots 37-44 also known as Lots 36-43 on final plat, and Conceptual Plan Lots 49-52 also known as Lots 48-51 on final plat, shall be constructed with a minimum of 1,500 square feet of above-grade finished floor area. 2 story homes on Conceptual Plan Lots 5-24 also known as Lots 4-23 on final plat, Conceptual Plan Lots 33-36 also known as Lots 32-35 on final plat, and



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Conceptual Plan Lots 45-48 also known as Lots 44-47 on final plat, shall be constructed with a minimum of 1,600 square feet of above grade finished floor area.

- (12) 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.
(13) Any chain link fence shall have black vinyl-cladding.
(14) Provision of a trail providing pedestrian access to Fort Des Moines Park.

WHEREAS, the Property is legally described as follows:

LOTS 1 - 51, A, B, C, AND D, AND OUTLOTS X, Y, AND Z IN PARKSIDE ESTATES PLAT 1, AN OFFICIAL PLAT, ALL 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 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 September 23, 2019, at which time the City Council will hear both those who oppose and those who favor the proposals.
3. That the City Clerk is hereby authorized and directed to cause notice of said proposals 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 Boesen TO ADOPT.

FORM APPROVED:

Glenna K. Frank

Glenna K. Frank, Assistant City Attorney

(ZON2019-00157)

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

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