



Roll Call Number

19-1489

Agenda Item Number

21-I

Date September 23, 2019

**RESOLUTION SETTING HEARING ON REQUEST FROM  
RALLY CAP PROPERTIES, LLC TO REZONE PROPERTY LOCATED AT  
601 24<sup>TH</sup> STREET AND 602 23<sup>RD</sup> STREET**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on September 5, 2019, its members voted 8-3 in support of a motion to recommend **APPROVAL** of a request from Rally Cap Properties, LLC (purchaser), represented by Ryan Francois (officer), to rezone property located at 601 24<sup>th</sup> Street and 602 23<sup>rd</sup> Street ("Property") from "R1-60" One-Family Low-Density Residential District to Limited "R-3" Multiple-Family Residential District, to allow for development of the Property with up to seven 3-story rowhouse dwelling units, subject to the following conditions:

1. Any use of the Property shall be limited to uses as allowed and limited in the "R1-80" District, duplex residential, and rowhouse style residential.
2. Any residential development upon the Property other than single-family detached residential structure(s) shall be constructed as rowhouse-style dwelling units, where each dwelling unit has a front door or an entry presence facing a public street or streets, to the satisfaction of the Planning Administrator.
3. Each dwelling unit constructed shall have a minimum of one onsite parking space per unit, maximum of one curb cut on the north side of High Street, and on-street parking on the north side of High Street be maintained.
4. Any dwelling unit constructed shall comply with the following:
  - a. The front façade of any dwelling unit constructed 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 façade shall be clad with stone or brick masonry.
  - b. Windows on any façade facing a public street shall have either of the following:
    - i. Trim border not less than 4 inches in width; or
    - ii. Shutters on each side.
  - c. The roof on any dwelling constructed shall be of architectural profile asphalt type shingles or cedar shakes. Standard 3-tab shingles are prohibited.
  - d. Any dwelling shall be constructed with a minimum of 1,500 square feet of finished floor area.
  - e. Exterior material for any home constructed shall be masonry (brick or stone), cedar, masonite, or cement fiber board.

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- f. 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, the Property is legally described as follows:

THE SOUTH 10 FEET OF LOT 4, THE NORTH 40 FEET OF LOT 5, THE NORTH 40 FEET OF LOT 16 AND ALL OF LOT 17 OF BLOCK C IN WOODLAND PARK, 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.
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 October 14, 2019, 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 Mandelbaum TO ADOPT.

FORM APPROVED:

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

(ZON2019-00114)

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