



Roll Call Number

22-0174

Agenda Item Number

25

Date February 7, 2022

RESOLUTION SETTING HEARING ON REQUEST FROM THE OAKS ON FLEUR, LLC TO AMEND PLANDSM FUTURE LAND USE DESIGNATION AND TO REZONE PROPERTY LOCATED AT 3010 AND 3020 FLEUR DRIVE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on January 20, 2022, its members voted 14-0 in support of a motion to recommend **DENIAL** of a request from The Oaks on Fleur, LLC (owner), represented by Adam Sieren (officer) to amend the PlanDSM: Creating Our Tomorrow future land use designation for real property locally known as 3010 Fleur Drive and 3020 Fleur Drive (“Property”) from Low Density Residential to Medium Density Residential to allow rezoning to Limited ‘NX1’ Neighborhood District to allow development of approximately 14 rowhouse dwelling units; and

WHEREAS, the City Plan and Zoning Commission has further advised that at a public hearing held on January 20, 2022, its members voted 14-0 in support of a motion to recommend **DENIAL** of a request from The Oaks on Fleur, LLC (owner) represented by Adam Sieren (officer) to rezone 2 parcels comprising the Property from ‘N3a’ Neighborhood District to Limited ‘NX1’ Neighborhood District for the above-stated purpose, subject to the following conditions:

1. Drive approaches to the site from Fleur Drive are prohibited;
2. No more than 15 household units shall be developed;
3. All primary buildings shall front a public street; and
4. Any building that fronts Willowmere Drive shall not exceed 2 stories or 24 feet above grade in total height; and

WHEREAS, the Property is legally described as follows:

“LOT 2 (EXCEPT THE EAST 4 FEET) AND THE SOUTH 3 FEET OF THE WEST 193 FEET OF THE EAST 200 FEET OF LOT 1 (EXCEPT THE WEST 4 FEET OF THE EAST 11 FEET OF THE SOUTH 3 FEET) IN WILLOWMERE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

AND

LOT THREE (3) EXCEPT THE EAST 4.00 FEET THEREOF (AS MEASURED PERPENDICULAR TO THE EAST LINE OF LOT 3) IN WILLOWMERE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.”

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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, and at which time the City Council will hear both those who oppose and those who favor the proposal, shall be held at City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on February 21, 2022, 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 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 Gatto TO ADOPT. Second by Boesen.

FORM APPROVED:

Judy K. Parks-Kruse
Judy K. Parks-Kruse
Assistant City Attorney

(ZON2021-000051; ZON2021-000052)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
SHEUMAKER	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED APPROVED
J. M. Frankin Cownie Mayor

CERTIFICATE

I, P. KAY CMELIK, 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.

P. Kay Cmelik City Clerk