



Roll Call Number

24-0960

Agenda Item Number

33

Date July 15, 2024

RESOLUTION SETTING HEARING ON REQUEST FROM S&S HOMEBUILDERS, LLC (OWNER), REPRESENTED BY NICK STEPHENSON (OFFICER) TO AMEND PLANDSM TO REVISE THE FUTURE LAND USE DESIGNATION AND TO REZONE THE PROPERTY LOCATED AT 902 AND 908 31ST STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on June 20, 2024, its members voted 11-0 in support of a motion finding the requested rezoning for Property located at 902 and 908 31st Street is not in conformance with the existing PlanDSM future land use designation of Low Density Residential; and

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on June 20, 2024 its members voted 11-0 in support of a motion to recommend **APPROVAL** of a request from S&S Homebuilders, LLC (Owner), represented by Nick Stephenson (Officer), to amend the PlanDSM: Creating Our Tomorrow future land use designation for Property located at 902 and 908 31st Street from Low Density Residential to Low-Medium Density Residential; and to rezone the Property from “N5” Neighborhood District to “NX1” Neighborhood Mix District, to allow the construction of a residential Row Building, and determined the requested rezoning is in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan:

WHEREAS, the Property is legally described as follows:

THE SOUTH 42 2/3 FEET OF LOT FIVE (5), BLOCK TWO (2) IN PLEASANT VIEW, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, EXCEPT THE EAST 16 FEET THEREOF. AND AN EASEMENT FOR DRIVEWAY PURPOSES ON THE NORTH 3 2/3 FEET OF LOT 5 (EXCEPT THE EAST 16 FEET) AND THE SOUTH 7 FEET OF LOT 4, BLOCK 2, PLEASANT VIEW.

AND

A PARCEL OF LAND IN LOT SIX (6), BLOCK TWO (2) IN PLEASANT VIEW, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SW CORNER OF SAID LOT 6; THENCE N00°03'23"E, 30.37 FEET ON THE WEST LINE OF SAID LOT 6, TO THE POINT OF BEGINNING; THENCE CONTINUING N 00°03'23"E, 15.96 FEET ON SAID WEST LINE TO THE NW CORNER OF SAID LOT 6; THENCE N 89°54'49"E, 129.00 FEET ON THE NORTH LINE OF SAID LOT 6 TO THE EXISTING WESTERLY RIGHT OF WAY LINE OF 31ST STREET; THENCE S 00°03'23"W 2.75 FEET ON SAID EXISTING WESTERLY RIGHT OF WAY LINE; THENCE S 08°10'05"W, 30.88 FEET; THENCE S 84°12'43"W, 75.02



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FEET; THENCE N 23°15'43"W, 28.88 FEET; THENCE S 87°19'57"W, 38.63 FEET TO THE POINT OF BEGINNING.

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 amendment to PlanDSM Creating Our Tomorrow comprehensive Plan and proposed rezoning are 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 5:00 p.m. on August 5, 2024 in the Council Chambers, City Hall, 400 Robert D. Ray, Drive, Des Moines.
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 Coleman

FORM APPROVED:

/s/ Chas M. Cahill

Chas M. Cahill

Assistant City Attorney

(ZONG-2024-000017) (COMP-2024-000014)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include BOESEN, SIMONSON, VOSS, COLEMAN, WESTERGAARD, MANDELBAUM, GATTO, and TOTAL (7 yeas).

CERTIFICATE

I, LAURA BAUMGARTNER, 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.

Signature of Carl B. Jones

Mayor Pro Tem

Signature of Laura Baumgartner

City Clerk