



Roll Call Number

24-1105

Agenda Item Number

41B

Date August 5, 2024

An Ordinance entitled, "AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-1.10 of the Municipal Code of the City of Des Moines, Iowa, 2000, by rezoning and changing the district classification of certain property located in the vicinity of 205 University Avenue from "MX2" Mixed Use District to "MX3" Mixed Use District classification",

which was considered and voted upon under Roll Call No. 24- 1105 of August 5, 2024; again presented.

Moved by Coleman that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass. Second by Mandelbaum.

ORDINANCE NO. 16,373

NOTE: Waiver of this rule is requested by Neil Thomson, CFO.

FORM APPROVED:

/s/ Chas M. Cahill

Chas M. Cahill
Assistant City Attorney

(ZONG-2024-000014) (COMP-2024-000011)

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

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.

Connie Boesen Mayor

Laura Baumgartner City Clerk



**Roll Call Number**

.....24-1106.....

**Agenda Item Number**

42

**Date** .....August 5, 2024.....

**RESOLUTION HOLDING PUBLIC HEARING REGARDING 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 31<sup>ST</sup> 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 to recommend **APPROVAL** of a request from S&S Homebuilders, LLC (Owner), represented by Nick Stephenson (Officer), for the proposed rezoning from “N5” Neighborhood District to “NX1” Neighborhood Mix District be found not in conformance with the current PlanDSM: Creating Our Tomorrow Plan Land Use Plan 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), for revising the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation for the subject property from Low Density Residential to Low-Medium Density Residential; and

**WHEREAS**, the City Plan and Zoning Commission has further 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 rezone the Property from “N5” Neighborhood District to “NX1” Neighborhood Mix District, to allow the construction of a residential Row Building; and

**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:**