



Roll Call Number

25-0052

Agenda Item Number

36

Date January 13, 2025

RESOLUTION HOLDING PUBLIC HEARING REGARDING REQUEST FROM STEINBECK PROPERTIES, LLC (OWNER), REPRESENTED BY USMAN HAQ (OFFICER), FOR THE FOLLOWING REGARDING PROPERTY LOCATED IN THE VICINITY OF 955 24TH STREET TO REZONE THE PROPERTY FROM “N5” NEIGHBORHOOD DISTRICT TO LIMITED “N5-2” NEIGHBORHOOD DISTRICT, TO ALLOW CONSTRUCTION OF A TWO-HOUSEHOLD RESIDENTIAL DWELLING (DUPLEX)

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on December 5, 2024, its members voted 9-2 in support of a motion to recommend **APPROVAL** of a request from Steinbeck Properties, LLC (Owner), represented by Usman Haq (Officer), for the proposed rezoning from “N5” Neighborhood District to Limited “N5-2” Neighborhood District be found in conformance with the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation of Low Density Residential; and

WHEREAS, the City Plan and Zoning Commission has further advised that at a public hearing held on December 5, 2024, its members voted 9-2 in support of a motion to recommend **APPROVAL** of a request from Steinbeck Properties, LLC (Owner), represented by Usman Haq (Officer), to rezone the Property from “N5” Neighborhood District to Limited “N5-2” Neighborhood District, to allow construction of a two-household residential dwelling (duplex), subject to the following conditions:

1. Any residential dwelling unit shall be oriented towards 24th Street.
2. Any residential building shall substantially conform to the “Architectural Guidelines for New Construction in Woodland Heights” to the satisfaction of the Planning and Urban Design Administrator.
3. Vehicular access to the site parking shall be provided from 23rd Place. A driveway from 24th Street shall be prohibited.; and

WHEREAS, the Property is legally described as follows:

THAT PART LYING SOUTHERLY OF THE LINE BEGINNING AT A POINT 124.3 FEET WEST OF THE SE CORNER ON THE SOUTH LINE, THENCE NORTHEASTERLY TO THE NE CORNER OF LOT 9, IRA W. ANDERSONS COTTAGE GROVE ADDITION, INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

A PART OF THE SE¼ OF THE NW¼ OF SECTION 5, T78N, R24W, OF THE 5TH P.M. IN THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:



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**LOT 10 IN IRA W. ANDERSON'S COTTAGE GROVE ADDITION, NOW INCLUDED
AND FORMING A PART OF THE CITY OF DES MOINES, IOWA.; and**

WHEREAS, on December 23, 2024, by Roll Call No. 24-1718, it was duly resolved by the City Council that the request for approval of the proposed rezoning be set down for hearing on January 13, 2025, at 5:00 p.m., at the City Council Chambers; and

WHEREAS, due notice of said hearing was published in the Des Moines Register, as provided by law, setting forth the time and place for hearing on said proposal; and

WHEREAS, in accordance with said notice, those interested in said proposal, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

1. Upon due consideration of the facts, and any and all statements of interested persons and arguments of counsel, any objections to the proposed rezoning are hereby overruled, and the hearing is closed.
2. The proposed rezoning of the Property, as legally described above, from "N5" Neighborhood District to Limited "N5-2" Neighborhood District, to allow construction of a two-household residential dwelling (duplex), subject to the conditions set forth above, is hereby approved, subject to final passage of an ordinance rezoning the Property as set forth herein.

**(NOTE – APPROVAL REQUIRES SIX VOTES DUE TO OPPOSITION OF GREATER THAN
20% OF RELEVANT PROPERTY OWNERS)**

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MOVED BY Mandelbaum TO ADOPT. SECOND BY Gatto.

FORM APPROVED:

/s/ Chas M. Cahill
Chas M. Cahill
Assistant City Attorney

(ZONG-2024-000016)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
SIMONSON	✓			
VOSS	✓			
COLEMAN	✓			
WESTERGAARD	✓			
MANDELBAUM	✓			
GATTO	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

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 Buesen

Mayor

Laura Baumgartner

City Clerk