



Roll Call Number

25-1498

Agenda Item Number

34

Date November 3, 2025

RESOLUTION HOLDING PUBLIC HEARING REGARDING REQUEST FROM HIGHLAND PARK COMMUNITY DEVELOPMENT ASSOCIATION, INC (OWNER), REPRESENTED BY PHILIP HERMAN (OFFICER), FOR THE FOLLOWING REGARDING PROPERTY LOCATED AT 3851 SHERMAN BOULEVARD TO REZONE THE PROPERTY FROM “N3A” NEIGHBORHOOD DISTRICT TO LIMITED “NX1” NEIGHBORHOOD MIX DISTRICT, TO ALLOW THE RENOVATION OF THE EXISTING ONE-HOUSEHOLD DWELLING AND CONSTRUCTION OF A TWO-HOUSEHOLD DWELLING AND TWO (2) ACCESSORY DWELLING UNITS, FOR A TOTAL OF (5) RESIDENTIAL DWELLING UNITS

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on October 2, 2025, its members voted 9-0-1 in support of a motion to recommend **APPROVAL** of a request from Highland Park Community Development Association, Inc (Owner), represented by Philip Herman (Officer), for the proposed rezoning from “N3a” Neighborhood District to Limited “NX1” Neighborhood Mix District be found in conformance with the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation of Low Density Residential within a Community Node; and

WHEREAS, the City Plan and Zoning Commission has further advised that at a public hearing held on October 2, 2025, its members voted 9-0-1 in support of a motion to recommend **APPROVAL** of a request from Highland Park Community Development Association, Inc (Owner), represented by Philip Herman (Officer), for the proposed rezoning from “N3a” Neighborhood District to Limited “NX1” Neighborhood Mix District, to allow the renovation of the existing one-household dwelling and construction of a two-household dwelling and two (2) accessory dwelling units, for a total of (5) residential dwelling units, subject to the following conditions:

1. Any use of the subject property, which measures 0.9 acres, shall be limited to uses as permitted in common with and as limited by the ‘N3a’ District and Household Living with a maximum of 5 dwelling units.;and
2. Any development on the property shall be in substantial compliance with the submitted development concept, including design and layout, to the satisfaction of the Planning and Urban Design Administrator.; and
3. Storm water management for the property shall be provided to the satisfaction of the City Engineer.; and
4. Vehicular access to the property shall be limited to no more than a single driveway with any unused drives being removed and restored to the satisfaction of the Planning and Urban Design Administrator.; and

WHEREAS, the Property is legally described as follows:

EX NWLY 5F- LOT 25 KIMBLE ACRES, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.;
and



Roll Call Number

25-1498

Agenda Item Number

34

Date November 3, 2025

WHEREAS, on October 20, 2025, by Roll Call No. 25-1400, it was duly resolved by the City Council that the request for approval of the proposed rezoning be set down for hearing on November 3, 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 proposals; 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 N3a" Neighborhood District to Limited "NX1" Neighborhood Mix District, to allow the renovation of the existing one-household dwelling and construction of a two-household dwelling and two (2) accessory dwelling units, for a total of (5) residential dwelling units, subject to the conditions set forth above, is hereby found to be in conformance with the PlanDSM: Creating Our Tomorrow Land Use Plan and 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)

MOVED BY Coleman TO Deny. SECOND BY Simonson.

FORM APPROVED:

/s/ Chas M. Cahill

Chas M. Cahill

Assistant City Attorney

(ZONG-2025-000019)



Roll Call Number

251498

Agenda Item Number

34

Date November 3, 2025

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

MOTION CARRIED

APPROVED

Connie Boesen

Mayor

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.

Laura Baumgartner

City Clerk