



Roll Call Number

26-0827

Agenda Item Number

17

Date July 13, 2026

RESOLUTION SETTING PUBLIC HEARING ON REQUEST FROM NELSON CONSTRUCTION SERVICES, LLC (OWNER) REPRESENTED BY ALEXANDER GRGURICH (OFFICER) FOR THE FOLLOWING REGARDING MULTIPLE PARCELS LOCATED IN THE VICINITY OF 1310 EAST DIEHL AVENUE, TO AMEND PLANDSM CREATING OUR TOMORROW PLAN TO REVISE THE FUTURE LAND USE CLASSIFICATION FROM COMMUNITY MIXED USE AND LOW DENSITY RESIDENTIAL WITHIN A NEIGHBORHOOD NODE AND A REGIONAL NODE TO HIGH DENSITY RESIDENTIAL WITHIN A NEIGHBORHOOD NODE AND A REGIONAL NODE, AND TO REZONE THE PROPERTY FROM “N3a” NEIGHBORHOOD DISTRICT, “MX3-V” MIXED USE DISTRICT, AND “MX3” MIXED USE DISTRICT TO “NX3” NEIGHBORHOOD MIX DISTRICT, TO ALLOW THE CONSTRUCTION OF A MULTIPLE-HOUSEHOLD SENIOR LIVING BUILDING AND FUTURE RESIDENTIAL DEVELOPMENT

WHEREAS, the City Plan and Zoning Commission has advised that a public hearing will be held on July 16, 2026, where its members will vote on a request from Nelson Construction Services, LCC (Owner), represented by Alexander Grgurich (Officer) for the proposed rezoning from “N3a” Neighborhood District, “MX3-V” Mixed Use District, and “MX3” Mixed Use District to “NX3” Neighborhood Mix District be found not in conformance with the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation of Community Mixed Use and Low Density Residential within a Neighborhood Node and Regional Node; and

WHEREAS, the City Plan and Zoning Commission has advised that a public hearing will be held on July 16, 2026, where its members will vote on a request from Nelson Construction Services, LCC (Owner), represented by Alexander Grgurich (Officer) to amend the PlanDSM: Creating Our Tomorrow future land use designation for the subject property from Community Mixed Use and Low Density Residential within a Neighborhood Node and Regional Node to High Density Residential within a Neighborhood Node and a Regional Node; and

WHEREAS, the City Plan and Zoning Commission has advised that a public hearing will be held on July 16, 2026, where its members will vote on a request from Nelson Construction Services, LCC (Owner), represented by Alexander Grgurich (Officer) to rezone the Property from “N3a” Neighborhood District, “MX3-V” Mixed Use District, and “MX3” Mixed Use District to “NX3” Neighborhood Mix District to allow the construction of a multiple-household senior living building and future residential development, subject to any conditions that are established during the City Plan and Zoning Commission public hearing; and

WHEREAS, the Property is legally described as follows:

THE NORTH 170 FEET (EXCEPT THE EAST 710 FEET) OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 27, TOWNSHIP 78 NORTH, RANGE 24, WEST OF



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THE 5TH P.M., NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

AND

PARCEL "H" BEING A PART OF LOT 2 IN BOWLARAMA PLACE, AN OFFICIAL PLAT, AND A PART OF THE NORTHEAST QUARTER (NE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION TWENTY-SEVEN (27), TOWNSHIP SEVENTY-EIGHT (78) NORTH, RANGE TWENTY-FOUR (24) WEST OF THE 5TH P.M., ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AS SHOWN IN THE PLAT OF SURVEY RECORDED IN BOOK 13755 AT PAGE 292, IN THE OFFICE OF THE RECORDER OF POLK COUNTY, IOWA.

AND

THE SOUTH 10 ACRES OF THE SOUTHEAST ¼ OF THE NORTHEAST ¼ (EXCEPT PARCEL 'I' OF THE PLAT OF SURVEY FILED IN THE OFFICE OF THE RECORDER OF POLK COUNTY, IOWA ON MARCH 28, 2013, AND RECORDED IN BOOK 14716 PAGE 881; AND EXCEPT THE WEST 300 FEET; AND LESS .40 ACRE FOR ROAD RIGHT-OF-WAY); AND THE NORTH ½ OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF THE NORTHEAST ¼ (EXCEPT THE WEST 300 FEET) ALL IN SECTION 27, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA.

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

1. 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 proposals, shall be held at City Hall, 1200 Locust Street, Des Moines, Iowa, at 5:00 p.m. on August 3, 2026.
2. 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 four (4) 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 Voss.



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FORM APPROVED:

/s/ Emily A. Duffy

Emily A. Duffy

Assistant City Attorney

(ZONG-2026-000013)

(COMP-2026-000009)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
SIMONSON	✓			
VOSS	✓			
BARRON	✓			
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