



Roll Call Number

25-1286

Agenda Item Number

24

Date September 29, 2025

**RESOLUTION SETTING HEARING ON REQUEST FROM LEGACY 515, LLC
(OWNER), REPRESENTED BY ADAM METZKER (OFFICER) TO AMEND
PLANDSM TO REVISE THE FUTURE LAND USE DESIGNATION AND TO REZONE
THE PROPERTY LOCATED AT 520 35TH STREET**

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on September 18, 2025, its members voted 9-0 in support of a motion finding the requested rezoning for Property located at 520 35th Street is not in conformance with the existing PlanDSM future land use designation of High Density Residential within a Community Node; and

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on September 18, 2025, its members voted 9-0 in support of a motion to recommend **APPROVAL** of a request from Legacy 515, LLC (Owner), represented by Adam Metzker (Officer), to amend the PlanDSM: Creating Our Tomorrow future land use designation for Property located at 520 35th Street from High Density Residential within a Community Node to Community Mixed Use within a Community Node; to rezone the Property from “NX3” Neighborhood Mix District to “RX2” Mixed Use District, to allow use of the property for small scale office and commercial uses, 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 70 FEET OF LOT 31 IN THE OFFICIAL PLAT OF THE SOUTHEAST
QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 78
NORTH, RANGE 24 WEST OF THE 5TH P.M., NOW INCLUDED IN AND FORMING
A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.**

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

1. That the 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 October 20, 2025 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.



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MOVED BY

Gatto

TO ADOPT.

SECOND BY

Voss

FORM APPROVED:

/s/ Chas M. Cahill

Chas M. Cahill

Assistant City Attorney

(ZONG-2025-000022) (COMP-2025-000016)

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