

★ **Roll Call Number**

Agenda Item Number


27

Date July 24, 2006

COMMUNICATION from the City Plan and Zoning Commission regarding the "S-O" Study Overlay District for the Four Mile Creek floodplain advising that at a public hearing held on July 6, 2006, the members recommended by a vote of 12-0 that the current area be kept within the "S-O" Study Overlay District zoning designation and that affected property owners be notified in writing of the extension of those provisions pending the completion of the Corps of Engineers' study of the Four Mile basin.

MOVED by _____ to receive, file and adopt, and to direct the Community Development Department to mail notice to the affected property owners.

FORM APPROVED:


Roger K. Brown
Assistant City Attorney

(10-2001-3.23)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BROOKS				
COLEMAN				
KIERNAN				
HENSLEY				
MAHAFFEY				
VCLASSIS				
TOTAL				
MOTION CARRIED			APPROVED	

CERTIFICATE

I, DIANE RAUH, 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.

Mayor

City Clerk

July 24, 2006

Date _____
Agenda Item 21
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Honorable Mayor and City Council
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held July 6, 2006, the following action was taken:

COMMISSION RECOMMENDATION:

After public hearing, the members voted 12-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
David Cupp	X			
Shirley Daniels				X
Dann Flaherty				X
Bruce Heilman	X			
Jeffrey Johannsen				X
Greg Jones	X			
Frances Koontz	X			
Kaye Lozier	X			
Brian Meyer	X			
Brian Millard	X			
Brook Rosenberg	X			
Mike Simonson	X			
Kent Sovern	X			
Tim Urban	X			
Marc Wallace	X			

that the current area be kept within the "S-O" Study Overlay District zoning designation and that affected property owners be notified in writing of the extension of those provisions pending the completion of the Corps of Engineers' study of the Four Mile basin. (10-2001-3.23)

STAFF RECOMMENDATION AND BASIS FOR APPROVAL

Staff recommends that the current area be kept within the "S-O" Study Overlay District zoning designation and that affected property owners be notified in writing of the extension of those provisions.

STAFF REPORT

I. GENERAL INFORMATION

The Commission shall annually review all property zoned to the S-O study overlay district and shall file a report and recommendation with the city council on the need to continue the zoning and the appropriateness of rezoning the property or any part thereof to another zoning classification.



CITY PLAN AND ZONING COMMISSION
ARMORY BUILDING
602 ROBERT D. RAY DRIVE
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(515) 283-4182

ALL-AMERICA CITY
1949, 1976, 1981
2003

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The Corps of Engineers conducted open house meetings in the Spring of 2005 to present their preliminary findings and recommendations for the Four Mile Creek watershed. At this time the recommendation that has been forwarded to the U. S. Congress does not suggest development of any major designed flood control improvements for further protection of property near the flood fringes. It was anticipated that these findings would have Congressional approval some time late Fall 2005. To date the U.S. Congress has not accepted these preliminary findings. At such time that they are accepted by U.S. Congress, the specific data will be brought back to the Plan and Zoning Commission for further direction on recommendations for changes to the zoning. The Plan and Zoning Commission does have the flexibility of making recommendations to the City Council in the interim without having to wait for the annual review.

Until the final Corps study is adopted, staff believes that continuation of the protection provided by the "S-O" District is the most appropriate action to take. Should this ultimately be the decision made by the Council, it would be appropriate to send written notification to affected property owners to advise them of such a determination and update them on the current status of their property.

SUMMARY OF DISCUSSION

There was no discussion on this item.

Tim Urban moved for approval of the staff recommendation. Motion passed 12-0

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

Attachment