



**Roll Call Number**

22-0263

**Agenda Item Number**

39 ✓

**Date** February 21, 2022

**RESOLUTION CONTINUING HEARING ON REQUESTS FROM THE OAKS ON FLEUR, LLC TO AMEND THE EXISTING PLAN DSM: CREATING OUR TOMORROW PLAN FUTURE LAND USE DESIGNATION AND REZONE PROPERTY LOCATED AT 3010 FLEUR DRIVE AND 3020 FLEUR DRIVE**

**WHEREAS**, on February 7, 2022, by Roll Call No. 22-0174, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on January 20, 2022, the City Plan and Zoning Commission voted 14-0 in support of a motion to recommend **DENIAL** of a request by The Oaks on Fleur, LLC (owner), represented by Adam Sieren (officer), to amend the existing PlanDSM: Creating Our Tomorrow Comprehensive Future Land Use Plan designation for real property locally known as 3010 Fleur Drive and 3020 Fleur Drive (collectively “Property”) from Low Density Residential to Medium Density Residential to allow for rezoning to Limited ‘NX1’ Neighborhood District to allow development of approximately 14 rowhouse dwelling units; and

**WHEREAS**, on February 7, 2022, by Roll Call No. 22-0174, the City Council received a communication from the City Plan and Zoning Commission further advising that at a public hearing held on January 20, 2022, its members voted 14-0 in support of a motion to recommend **DENIAL** of a request by The Oaks on Fleur, LLC (owner), represented by Adam Sieren (officer), to rezone 2 parcels comprising the Property from ‘N3a’ Neighborhood District to Limited ‘NX1’ Neighborhood District for the above-stated purpose, subject to the following conditions:

1. Drive approaches to the site from Fleur Drive are prohibited;
2. No more than 15 household units shall be developed;
3. All primary buildings shall front a public street; and
4. Any building that fronts Willowmere Drive shall not exceed 2 stories or 24 feet above grade in total height; and

**WHEREAS**, on February 7, 2022, by Roll Call No. 22-0174, it was duly resolved by the City Council that the request for approval of the proposed PlanDSM Comprehensive Future Land Use Plan amendment and rezoning of the Property, be set down for hearing on February 21, 2022 at 5:00 P.M., in the Council Chamber at City Hall; 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 proposed amendment to the Zoning Ordinance and PlanDSM Comprehensive Future Land Use Plan amendment; and

**WHEREAS**, the representative for the property owner has requested additional time for review and evaluation of the proposed rezoning conditions and to address neighborhood questions, and a continuation of the hearing is required.



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**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Des Moines, Iowa, that the public hearing on request for approval of the proposed land use amendment and rezoning for real property locally known as known as 3010 Fleur Drive and 3020 Fleur Drive is hereby opened and continued to March 7, 2022, at 5:00 p.m. in the Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa.

MOVED BY Mandelbaum TO continue to the March 21, 2022 Council Meeting. Second by Boesen.

APPROVED AS TO FORM:

Judy K. Parks-Kruse

Judy K. Parks-Kruse  
Assistant City Attorney

(ZONG2021-000051)  
(ZONG2021-000052)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
SHEUMAKER	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

**CERTIFICATE**

I, P. Kay Cmelik, 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.

MOTION CARRIED

APPROVED

J. M. Frankin Cownie Mayor

P. Kay Cmelik

City Clerk