



**Roll Call Number**

24-0447

**Agenda Item Number**

44

**Date** March 18, 2024

**HEARING ON REQUEST FROM MAX Z. STEIGLEDER AND TRACY D. STEIGLEDER (OWNERS) TO AMEND PLANDSM TO REVISE THE FUTURE LAND USE DESIGNATION AND TO REZONE THE PROPERTY LOCATED IN THE VICINITY OF 9500 SOUTHRIDGE BOULEVARD**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on February 15, 2024, its members voted 7-5 in support of a motion to recommend **DENIAL** of a request from Max Z. Steigleder and Tracy D. Steigleder (Owners), to amend the PlanDSM: Creating Our Tomorrow future land use designation for the irregular portions of GeoParcel #91000010670 and GeoParcel #91000010681 in the vicinity 9500 Southridge Boulevard from Business Park to Industrial; to rezone the Property from "EX" Mixed Use District to "I2" Industrial District; and to determine the requested rezoning is in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan, to allow the construction of a concrete manufacturing plant with outdoor storage; and

**WHEREAS**, the Property is legally described as follows:

**A PORTION OF THE SOUTH HALF OF THE SOUTHWEST QUARTER AND A PORTION OF PARCEL X OF THE PLAT OF SURVEY RECORDED IN BOOK 2014 AT PAGE 2631. ALL IN**

**SECTION 1, TOWNSHIP 77 NORTH, RANGE 24 WEST OF THE 5TH P.M., WARREN COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS: BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL X; THENCE S25°11'42"E ALONG THE EAST LINE OF SAID PARCEL X AND ALONG THE WEST RIGHT OF WAY LINE OF HIGHWAY 65/69 AS IT IS PRESENTLY ESTABLISHED, A DISTANCE OF 196.11 FEET; THENCE CONTINUING SOUTHEASTERLY ALONG SAID WEST RIGHT OF WAY LINE AND ALONG A 2208.80 FOOT RADIUS CURVE CONCAVE WESTERLY, A DISTANCE OF 395.90 FEET, SAID CURVE HAVING A CHORD BEARING OF S12°00'21"E AND A CHORD LENGTH OF 395.37 FEET; THENCE S89°41'34"W, A DISTANCE OF 655.64 FEET; THENCE N44°52'51"W, A DISTANCE OF 131.57 FEET; THENCE N87°42'14"W, A DISTANCE OF 264.30 FEET; THENCE N35°37'12"W, A DISTANCE OF 206.27 FEET; THENCE N78°44'22"W, A DISTANCE OF 125.97 FEET; THENCE N68°15'57"W, A DISTANCE OF 789.53 FEET TO THE NORTH LINE OF SAID PARCEL X; THENCE S89°20'53"E ALONG THE NORTH LINE OF SAID PARCEL X, A DISTANCE OF 1824.04 FEET TO THE POINT OF BEGINNING.**

**CONTAINING 16.05 ACRES.; and**



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WHEREAS, on March 4, 2023, by Roll Call No. 24-0335, it was duly resolved by the City Council that the request for approval of the proposed rezoning be set down for hearing on March 18, 2023, 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 proposal; 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.

Alternative A

MOVED by Gatto to DENY the proposed rezoning. Second by Coleman.

Alternative B

MOVED by \_\_\_\_\_ to continue the public hearing until April 1, 2024, at 5:00 p.m. in the Council Chambers at City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, and to direct the City Manager and Legal Department to prepare the necessary legislation to APPROVE the requested rezoning for Property from "EX" Mixed Use District to "I2" Industrial District, to allow the construction of a concrete manufacturing plant with outdoor storage, and determining the requested rezoning is in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan. Second by \_\_\_\_\_.

(NOTE - APPROVAL REQUIRES SIX VOTES DUE TO THE PLAN & ZONING COMMISSION RECOMMENDING DENIAL)

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FORM APPROVED:

/s/ Chas M. Cahill  
Chas M. Cahill  
Assistant City Attorney

(ZONG-2023-000021)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
GATTO	✓			
COLEMAN	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			

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