



Roll Call Number

11-0305

Agenda Item Number

19B

Date February 28, 2011

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on February 17, 2011, its members voted 9-0-2 in support of a motion to recommend APPROVAL of a request from Monte and Krista Bennett (developer) to rezone property located in the vicinity of 1910 Cottage Grove Avenue from "NPC" Neighborhood Pedestrian Commercial District, "R-HD" Residential Historic District, and "R-3" Multiple Family District to "PUD" Planned Unit Development District. Additional subject property is owned by Bennett Property Management, LLC, Hatch Development Group, and Michael LaValle.

The subject property is more specifically described as follows:

1910 COTTAGE GROVE AVENUE

LOT 6, BLOCK E IN KUHN'S ADDITION, DES MOINES, POLK COUNTY, IOWA, LYING EAST OF AND ADJOINING THE EASTERLY RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY AS IT IS PRESENTLY ESTABLISHED; AND, LOTS 1 AND 2, BLOCK F, IN SAID KUHN'S ADDITION, LYING SOUTH OF AND ADJOINING THE SOUTHERLY RIGHT-OF-WAY LINE OF COTTAGE GROVE AVENUE AS IT IS PRESENTLY ESTABLISHED; AND, LOT 3, BLOCK F IN SAID KUHN'S ADDITION, LYING SOUTH OF AND ADJOINING THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID COTTAGE GROVE AVENUE AND WEST OF ADJOINING THE WESTERLY RIGHT-OF-WAY LINE OF 19th STREET AS IT IS PRESENTLY ESTABLISHED; AND, THE 19th PLACE VACATED RIGHT-OF-WAY LYING EAST OF AND ADJOINING LOT 6, BLOCK E IN SAID KUHN'S ADDITION; AND, THE NORTH SEVEN FEET CROCKER STREET VACATED RIGHT-OF-WAY LYING SOUTH OF AND ADJOINING LOT 1, BLOCK F IN SAID KUHN'S ADDITION AND LYING SOUTH OF AND ADJOINING THE WEST ONE-HALF OF LOT 2, BLOCK F IN SAID KUHN'S ADDITION, AND THE NORTH SEVEN FEET OF SAID CROCKER STREET LYING WEST OF THE SOUTHERLY EXTENSION OF SAID LOT 1, (0.42 ACRES)

CROCKER WEST OF 19TH TO BE VACATED AND CONVEYED

CROCKER STREET RIGHT-OF-WAY LYING WEST OF THE NORTHERLY EXTENSION OF THE WEST RIGHT-OF-WAY LINE OF 19th PLACE AS IT IS PRESENTLY ESTABLISHED; NORTH OF AND ADJOINING THE 19th PLACE VACATED RIGHT-OF-WAY LYING EAST OF AND ADJOINING LOT 1, BLOCK B IN LEYNNERS PLAT, DES MOINES, POLK COUNTY, IOWA; NORTH OF AND ADJOINING LOT 1, BLOCK B IN SAID LEYNNERS PLAT; AND EAST OF AND ADJOINING THE EASTERLY RIGHT-OF-WAY LINE OF SAID MARTIN LUTHER KING JR. PARKWAY; (0.15 ACRES)

1916 CROCKER STREET

THE EAST 43.33 FEET OF LOTS 1 AND 2, BLOCK B IN LEYNNERS PLAT, DES MOINES, POLK COUNTY, IOWA, AND, THE SIXTEEN AND ONE-HALF FEET WIDE 19th PLACE VACATED RIGHT-OF-WAY, LYING EAST OF AND ADJOINING SAID LOTS 1 AND 2, BLOCK B; (0.14 ACRES)

1918 CROCKER STREET

WEST ONE-HALF OF THE EAST EIGHTY-SIX AND TWO-THIRDS FEET OF LOTS 1 AND 2, BLOCK B IN LEYNNERS PLAT, DES MOINES, POLK COUNTY, IOWA, (0.10 ACRES)



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1920 CROCKER STREET

THE WEST FOURTY THREE AND ONE THIRD FEET OF LOTS 1 AND 2, BLOCK B IN LEYNEERS PLAT, DES MOINES, POLK COUNTY, IOWA, LYING EAST OF AND ADJOINING THE EASTERLY RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY AS IT IS PRESENTLY ESTABLISHED; (0.10 ACRES)

1919 LEYNER STREET

THE EAST 43.33 FEET OF LOTS 4 AND 5, BLOCK B IN LEYNEERS PLAT, DES MOINES, POLK COUNTY, IOWA, AND, THE SIXTEEN AND ONE-HALF FEET WIDE 19th PLACE VACATED RIGHT-OF-WAY, LYING EAST OF AND ADJOINING SAID LOTS 4 AND 5, BLOCK B; (0.14 ACRES)

NON-ADDRESSED PARCEL OF BENNETT PROPERTY MANAGEMENT, LLC

LOT 3, BLOCK B IN LEYNEERS PLAT, DES MOINES, POLK COUNTY, IOWA, AND, THE SIXTEEN AND ONE-HALF FEET WIDE 19th PLACE VACATED RIGHT-OF-WAY, LYING EAST OF AND ADJOINING SAID LOT 3, BLOCK B; (0.14 ACRES)

(NORTH SOUTH ALLEY FROM LEYNER)

THE NORTH-SOUTH ALLEY IN BLOCK B, IN SAID LEYNEERS PLAT, LYING WEST OF AND ADJOINING LOTS 1, 2, 3, 4, AND 5, BLOCK B IN SAID LEYNEERS PLAT AND EAST OF AND ADJOINING THE EASTERLY RIGHT-OF-WAY LINE OF SAID MARTIN LUTHER KING JR. PARKWAY, (0.05 ACRES)

(CITY DISPOSITION PARCEL 7)

LOTS 6, 7, 8, 9, AND 10. BLOCK B IN SAID LEYNEERS PLAT, LYING EAST OF AND ADJOINING THE EASTERLY RIGHT-OF-WAY LINE OF SAID MARTIN LUTHER KING JR. PARKWAY; (0.37 ACRES)

(846 19th STREET)

LOT 1, BLOCK A IN LEYNEERS PLAT, DES MOINES, POLK COUNTY, IOWA, EXCEPT THE EAST TWELVE FEET THEREOF; AND, THE TWELVE FEET WIDE 19th PLACE VACATED RIGHT-OF-WAY, LYING WEST OF AND ADJOINING SAID LOT 1, BLOCK A; IN SAID LEYNEERS PLAT; (0.15 ACRES)

(834 19th STREET)

LOTS 2, 3, AND 4, BLOCK A IN LEYNEERS PLAT, EXCEPT THE EAST TWELVE FEET THEREOF; AND, THE TWELVE FEET WIDE 19th PLACE VACATED RIGHT-OF-WAY, LYING WEST OF AND ADJOINING SAID LOTS 2, 3, AND 4, BLOCK A; (0.45 ACRES)
AND,

(19TH PLACE RIGHT OF WAY – ACREAGE NOT INCLUDED IN REQUIRED PUD ACREAGE CALCULATION)

THE 19th PLACE RIGHT-OF-WAY, LYING NORTH OF AND ADJOINING THE NORTH RIGHT-OF-WAY LINE OF LEYNER STREET AS IT IS PRESENTLY ESTABLISHED AND SOUTH OF AND ADJOINING THE SOUTH RIGHT-OF-WAY LINE OF SAID CROCKER STREET (0.37 ACRES).

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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 rezoning is to be considered shall be held in the Council Chambers, City Hall, Des Moines, Iowa at 5:00 p.m. on March 14, 2011, at which time the City Council will hear both those who oppose and those who favor the proposal.
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 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.

MOVED by Coleman to adopt, and to extend the prohibition on the issuance of demolition permits for 1918 and 1920 Crocker until after the hearing on March 14th.

FORM APPROVED:

Roger K. Brown
Roger K. Brown
Assistant City Attorney

(ZON2011-00003)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

T. M. Franklin Mayor

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.

Diane Rauh
(1)

City Clerk