



Roll Call Number

14-1171

Agenda Item Number

44B

Date July 28, 2014

RESOLUTION CLOSING HEARING ON REQUEST FROM HANSEN REAL ESTATE SERVICES, INC. TO REZONE PROPERTY OWNED BY THE CITY OF DES MOINES AND THE DES MOINES METROPOLITAN WASTEWATER RECLAMATION AUTHORITY LOCATED IN THE VICINITY OF 714 SOUTHEAST 6TH STREET FROM "R1-60" ONE-FAMILY LOW-DENSITY RESIDENTIAL DISTRICT AND "M-1" LIGHT INDUSTRIAL DISTRICT TO "D-R" DOWNTOWN RIVERFRONT DISTRICT TO ALLOW THE SUBJECT PROPERTY TO BE DEVELOPED WITH MULTIPLE-FAMILY DWELLING UNITS

WHEREAS, at its regular meeting on July 17, 2014, the City of Des Moines Plan and Zoning Commission voted 10-0-1 to approve a request from Hansen Real Estate Services, Inc., represented by Troy Hansen (officer) and on behalf of itself and its successor entity Eagle View Lofts LLC (purchaser), to rezone approximately four (4) acres of City-owned and Des Moines Metropolitan Wastewater Reclamation Authority (WRA)-owned property located north of the Des Moines River, west of SE 6th Street and south of Shaw Street in the vicinity of 714 Southeast 6th Street ("Property") from "R1-60" One-Family Low-Density Residential District and "M-1" Light Industrial District to "D-R" Downtown Riverfront District, to allow the Property to be developed with up to 132 market-rate and/or mixed income dwelling units within one or more structures, as shown in the attached letter; and

WHEREAS, on July 14, 2014, by Roll Call No. 14-1057, it was duly resolved by the City Council that the application of Hansen Real Estate Services, Inc., represented by Troy Hansen (officer) and on behalf of itself and its successors, to rezone the Property, as legally described below, be set down for hearing on July 28, 2014, 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 on July 17, 2014, as provided by law, setting forth the time and place for hearing on said proposed amendment to the Zoning Ordinance; and

WHEREAS, in accordance with said notice, those interested in said proposed rezoning, both for and against, have been given an opportunity to be heard with respect thereto and have presented their views to the City Council; and

WHEREAS, the Legal Department has prepared an amendment to the Zoning Ordinance of the City of Des Moines to rezone the Property, legally described as:

A part of TOWN OF DE MOINE, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa and described as follows:

Beginning at the intersection of the south Right-of-Way line of Shaw Street and the west Right-of-Way line of Southeast 6th Street; Thence southeasterly along said west Right-

(continued)

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of-Way line to the north Right-of-Way line of Maury Street; thence southeasterly along said north Right-of-Way line to the northeasterly line of the Des Moines River Levee; thence northwesterly along said northeasterly line to the north Right-of-Way line of Shaw Street; thence northeasterly along said north Right-of-Way line to the southwest corner of Lot 6, Block 56, in said TOWN OF DE MOINE; thence south along a straight line to the northwest corner of Lot 10, Block 57 in said TOWN OF DE MOINE, said corner also being on the south Right-of-Way line of said Shaw Street; thence northeasterly along said south Right-of-Way line to Point of Beginning

from "R1-60" One-Family Low-Density Residential District and "M-1" Light Industrial District to "D-R" Downtown Riverfront District, to allow the Property to be developed with up to 132 market-rate and/or mixed income dwelling units within one or more structures.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that upon due consideration of the facts, statements of interested persons and arguments of counsel, any and all objections to the proposed rezoning of the Property to "D-R" Downtown Riverfront District are hereby overruled, and the hearing is closed.

MOVED by Gatto to adopt.

FORM APPROVED:

Glenna K. Frank
Glenna K. Frank
Assistant City Attorney

(ZON2014-00117)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
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
City Clerk