



Date November 6, 2017

RESOLUTION SETTING HEARING ON REQUEST FROM NEIGHBORHOOD DEVELOPMENT CORPORATION TO REZONE PROPERTY AT 2217-2225 UNIVERSITY AVENUE AND 1207 23RD STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on October 19, 2017, its members voted 12-0 in support of a motion to recommend APPROVAL of a request from Neighborhood Development Corporation (NDC) (owner), represented by Abbey Gilroy (officer), to rezone property locally known as 2217-2225 University Avenue and 1207 23rd Street (collectively "Property") from "C-2" General Retail and Highway-Oriented Commercial District to Limited "NPC" Neighborhood Pedestrian Commercial District, to allow redevelopment of the Property with a 2-story, 20-unit multi-family dwelling, subject to the following rezoning conditions:

- 1. The following uses shall be prohibited: a) taverns and nightclubs, b) billiard parlor/game room, c) communication tower/antenna (unless as an extension of 20 feet or less from the structure), d) delayed deposit services, e) pawn brokers, f) gas stations/convenience stores, g) off-premises advertising signs, and h) liquor stores where gross revenues of tobacco and alcohol products exceed 40% of sales. 2. The density of any future residential development shall be dependent upon Site Plan review and upon the traffic study required to be submitted with the Site Plan. However, the density of any development shall not exceed 45 dwelling units per acre (20 dwelling units on a 0.445-acre site). 3. Any development shall be in accordance with a Site Plan under the Design Guidelines for the "NPC" District. 4. Any development of a multiple-family residential use shall be in accordance with a Site Plan under the Design Guidelines for Multiple-Family Residential. 5. Any multiple-family residential structure shall have at least one primary entrance oriented toward University Avenue. 6. The building facade materials facing University Avenue along with the two shorter side facades and the north rear facade shall be subject to Plan and Zoning Commission Site Plan review and approval, and the Property owner is directed to work with City staff to determine appropriate materials. 7. Any shingles shall be architectural style. 8. Any off-street parking shall be landscaped and screened in accordance with the City's Landscape Standards as applicable to the "C-2" District. 9. Any development shall include a landscaped streetscape within adjoining University Avenue Right-Of-Way in accordance with the City's parkway plantings Landscape Standards as applicable to the "C-3" District. 10. Any trash enclosure on site shall conform to the standards of the Zoning Ordinance and be comprised of durable materials that compliment the principal building with steel gates; and

WHEREAS, the Property to be rezoned is legally described as follows:

- Lots 401 and 402, in UNIVERSITY LAND COMPANY'S 2ND ADDITION, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

★ Roll Call Number
17-1888

Agenda Item Number
17

Date November 6, 2017

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

1. That the attached communication from the Plan and Zoning Commission is hereby received and filed.
2. That the meeting of the City Council at which the proposed rezoning is to be considered shall be held at the Richard A. Clark Municipal Service Center (MSC), located at 1551 E. Martin Luther King, Jr. Parkway, Des Moines, Iowa, at 5:00 p.m. on November 20, 2017, at which time the City Council will hear both those who oppose and those who favor the proposal.
3. 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 Gray TO ADOPT.

FORM APPROVED:

Glenna K. Frank
 Glenna K. Frank, Assistant City Attorney

(ZON2017-00166)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MOORE	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

T. M. Franklin Cownie
 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