



**Roll Call Number**

18-1792

**Agenda Item Number**

52

**Date** October 22, 2018

**RESOLUTION HOLDING HEARING ON REQUEST FROM HRC 8<sup>TH</sup> STREET II, LLC TO REZONE PROPERTY AT 813 CROCKER STREET**

**WHEREAS**, on October 8, 2018, by Roll Call No. 18-1666, the City Council received a recommendation from the City Plan and Zoning Commission advising that at a public hearing held on September 20, 2018, its members voted 13-0 in support of a motion to recommend **APPROVAL** of a request from HRC 8<sup>th</sup> Street II, LLC (owner), represented by Kris Sadoris (officer), to rezone property locally known as 813 Crocker Street (“Property”) from “R-4” Multiple-Family Residential District to “C-3A” Central Business District Support Commercial District, to allow for installation of a freestanding monument sign for the adjoining existing multiple-family residential complex; and

**WHEREAS**, on October 8, 2018, by Roll Call No. 18-1666, it was duly resolved by the City Council that the application of HRC 8<sup>th</sup> Street II, LLC to rezone the Property, as legally described below, be set down for hearing on October 22, 2018 at 5:00 p.m. in the Council Chambers 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

**WHEREAS**, in accordance with said notice, those interested in said proposed rezoning, both for and against, have been given 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 locally known as 813 Crocker Street, legally described as:

EXCEPT THE WEST 3 FEET, THE WEST 64 FEET OF LOT 1 SUBDIVISION BLOCK P HOLCOMB’S ADDITION, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

from “R-4” Multiple-Family Residential District to “C-3A” Central Business District Support Commercial District, to allow for installation of a freestanding monument sign for the adjoining existing multiple-family residential complex.

**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 of the Property to “C-3A” Central Business District Support Commercial District, are hereby overruled, and the hearing is closed.



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2. The proposed rezoning of the Property to "C-3A" Central Business District Support Commercial District, is hereby found to be in conformance with the PlanDSM: Creating Our Tomorrow Land Use Plan and is approved, subject to final passage of an ordinance rezoning the Property as set forth herein.

MOVED BY Mandelbaum TO ADOPT.

FORM APPROVED:

Glenna K. Frank

Glenna K. Frank, Assistant City Attorney

(ZON2018-00173)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

J. M. Frank 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