



Roll Call Number

19-1441

Agenda Item Number

68

Date September 9, 2019

RESOLUTION HOLDING HEARING ON REQUEST FROM CHRISTENSEN PROPERTIES 1, LLC TO REZONE PROPERTY LOCATED AT 610 16TH STREET AND 1613 AND 1619 HIGH STREET

WHEREAS, on August 19, 2019, by Roll Call No. 19-1314, the City Council received a recommendation from the City Plan and Zoning Commission advising that at a public hearing held on August 1, 2019, its members voted 14-0 in support of a motion to recommend **APPROVAL** of a request from Christensen Properties 1, LLC (owner), represented by Jake Christensen (officer), to rezone property located at 610 16th Street and 1613 and 1619 High Street (collectively "Property") from "C-2" General Retail and Highway-Oriented Commercial District to Limited "NPC" Neighborhood Pedestrian Commercial District, to allow for development of six single-family dwellings, subject to the following conditions:

1. Permitted uses shall only be uses permitted in the "R1-80" One-Family Residential District subject to Site Plan review by the Plan and Zoning Commission in accordance with design guidelines in "NPC" Districts.
2. Signage upon the Property shall be limited to that allowed in the "R1-80" One-Family Residential District; and

WHEREAS, on August 19, 2019, by Roll Call No. 19-1314, it was duly resolved by the City Council that the application from Christensen Properties 1, LLC to rezone the Property be set down for hearing on September 9, 2019 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, 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 located at 610 16th Street and 1613 and 1619 High Street, legally described as:

LOTS 5, 6, 7, AND 8 OF BLOCK A IN PURSELY ESTATE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

from "C-2" General Retail and Highway-Oriented Commercial District to Limited "NPC" Neighborhood Pedestrian Commercial District, to allow for development of six single-family dwellings, subject to the conditions set forth above.

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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 Limited "NPC" Neighborhood Pedestrian Commercial District, with conditions as set forth above, are hereby overruled, and the hearing is closed.
2. The proposed rezoning of the Property, as legally described above, to Limited "NPC" Neighborhood Pedestrian Commercial District, is hereby found to be in conformance with the PlanDSM: Creating Our Tomorrow Land Use Plan and is approved, subject to conditions set forth above and 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

(ZON2019-00128)

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

MOTION CARRIED APPROVED

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.

J. M. Franklin Cownie Mayor

Diane Rauh City Clerk