



Roll Call Number

20-0189

Agenda Item Number

15

Date January 27, 2020

RESOLUTION SETTING HEARING ON REQUEST FROM ND DRAKE MULTIFAMILY, LLC TO AMEND THE EXISTING PLANDSM: CREATING OUR TOMORROW PLAN FUTURE LAND USE DESIGNATION AND REZONE PROPERTY LOCATED AT 2530 UNIVERSITY AVENUE AND 1157, 1159 AND 1161 26TH STREET

WHEREAS, on April 25, 2016, by Roll Call No. 16-0717, the City Council adopted the PlanDSM: Creating Our Tomorrow Plan; and

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on January 16, 2020, the City Plan and Zoning Commission voted 13-0 in support of a motion to recommend **APPROVAL** of a request by ND Drake Multifamily, LLC (owner), represented by Michael Nelson (officer), to amend the existing PlanDSM: Creating Our Tomorrow Plan future land use designation for real property locally known as 1157 26th Street, from Low-Medium Density Residential to Neighborhood Mixed Use, to allow for rezoning to MX2 Mixed Use District and allow for a 4-story mixed-use building with 136 household units and 6,000 square feet of ground floor retail/office use; and

WHEREAS, the City Plan and Zoning Commission further has advised that at a public hearing held on January 16, 2020, its members voted 13-0 in support of a motion to recommend **APPROVAL** of a request from ND Drake Multifamily, LLC, to rezone real properties located at 2530 University Avenue and 1157, 1159 and 1161 26th Street (collectively "Property") from MX1 Mixed Use District and N5 Neighborhood District to MX2 Mixed Use District, to allow for a 4-story mixed-use building with 136 household units and 6,000 square feet of ground floor retail/office use; and

WHEREAS, the Property is legally described as follows:

LOTS 38-44 AND THE NORTH/SOUTH ALLEY LYING EAST OF SAID LOTS 38-44, EXCEPT THE NORTH 7.00 FEET OF SAID ALLEY AND EXCEPT THE NORTH 7.00 FEET OF LOT 44, DRAKE UNIVERSITY'S SECOND ADDITION TO THE CITY OF DES MOINES, AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

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 amendment to PlanDSM: Creating Our Tomorrow future land use designation and the proposed rezoning are to be considered shall be held at the Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on February 10, 2020, 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.

★ Roll Call Number
20-D139

Agenda Item Number
15

Date January 27, 2020

MOVED BY Gatto TO ADOPT.

FORM APPROVED:

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

(21-2019-4.27)
(ZON2019-00241)

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

MOTION CARRIED APPROVED
J. M. Franklin Cownie
Mayor

CERTIFICATE

I, P. KAY CMELIK, 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.

P. Kay Cmelik
City Clerk