



Roll Call Number

20-0422

Agenda Item Number

20

Date March 9, 2020

RESOLUTION SETTING HEARING ON REQUEST FROM WHITE WILLOW EVENTS TO AMEND THE EXISTING PLANDSM: CREATING OUR TOMORROW PLAN FUTURE LAND USE DESIGNATION AND REZONE PROPERTY LOCATED AT 6011 AND 6015 GRAND AVENUE

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 February 20, 2020, the City Plan and Zoning Commission voted 7-1 in support of a motion to recommend APPROVAL of a request by White Willow Events (purchaser), represented by Taylor Boesen (officer), to amend the existing PlanDSM: Creating Our Tomorrow Plan future land use designation for real property locally known as 6011 and 6015 Grand Avenue (collectively "Property") from Parks and Open Space, Development Control, and Low Density Residential to Community Mixed Use, to allow for rezoning to MX1 Mixed Use District; and

WHEREAS, the City Plan and Zoning Commission further has advised that at a public hearing held on February 20, 2020, its members voted 7-1 in support of a motion to recommend APPROVAL of a request from White Willow Events to rezone the Property from RX1 Mixed Use District to MX1 Mixed Use District, to allow demolition of the existing buildings and redevelopment with a 2-story, 7,000-square foot building for an Assembly and Entertainment, Small use as an events center; and

WHEREAS, the Property is legally described as follows:

A PARCEL OF LAND IN LOTS 25, 26, 27, 28, 36, 37, 38, 39, 40, 41, 42, & LOT 'F', GRAND AVENUE WATERBURY, AN OFFICIAL PLAT RECORDED IN BOOK 'J', PAGE 103 AT THE POLK COUNTY RECORDER'S OFFICE, CITY OF DES MOINES, POLK COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NW CORNER OF LOT 36, OF SAID GRAND AVENUE WATERBURY, THENCE S89°55'50"E, 147.29 FEET TO A POINT; THENCE S00°06'11"E, 165.18 FEET TO A POINT; THENCE N89°52'14"E, 44.19 FEET TO A POINT; THENCE S00°06'55"E, 59.89 FEET TO A POINT; THENCE S89°59'51"E, 104.00 FEET TO A POINT; THENCE S00°06'55"E, 113.24 FEET TO A POINT; THENCE S53°06'27"W, 4.99 FEET TO A POINT; THENCE N89°58'15"W, 288.40 FEET TO A POINT; THENCE N53°05'42"W, 5.00 FEET TO A POINT; THENCE N00°02'46"E, 338.24 FEET TO THE POINT OF BEGINNING WITH ALL CONTAINING 1.61 ACRES MORE OF LESS.

EXCEPT

BEGINNING AT THE NW CORNER OF SAID LOT 36; THENCE S89°55'50"E, 53.79 FEET TO A POINT; THENCE S70°24'21"E, 35.17 FEET TO A POINT; THENCE S39°42'13"E, 24.39 FEET TO A POINT; S78°29'52"E, 11.60 FEET TO A POINT; THENCE S05°31'17"E, 68.31



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FEET TO A POINT; THENCE S48°08'43"E, 36.34 FEET TO A POINT; THENCE S00°06'11"E, 34.96 FEET TO A POINT; THENCE N78°32'29"W, 13.54 FEET TO A POINT; THENCE N47°44'55"W, 31.28 FEET TO A POINT; THENCE S65°31'18"W, 16.28 FEET TO A POINT; THENCE S02°48'29"W, 28.00 FEET TO A POINT; THENCE S18°33'20"E, 26.17 FEET TO A POINT; THENCE S84°51'11"E, 10.31 FEET TO A POINT; THENCE N64°38'21"E, 18.97 FEET TO A POINT; THENCE S47°56'46"E, 17.86 FEET TO A POINT; THENCE S16°27'07"E, 11.67 FEET TO A POINT; THENCE S63°11'34"W, 14.76 FEET TO A POINT; THENCE S32°00'59"W, 14.30 FEET TO A POINT; THENCE S16°56'25"E, 25.94 FEET TO A POINT; THENCE N70°01'42"E, 16.50 FEET TO A POINT; THENCE S41°24'45"E, 9.66 FEET TO A POINT; THENCE S05°28'38"E, 18.25 FEET TO A POINT; THENCE S03°23'05"W, 21.59 FEET TO A POINT; THENCE S49°43'57"W, 30.20 FEET TO A POINT; THENCE S59°23'59"W, 20.14 FEET TO A POINT; THENCE S88°12'58"W, 23.73 FEET TO A POINT; THENCE S20°02'34"E, 9.46 FEET TO A POINT; THENCE N89°58'15"W, 92.33 FEET TO A POINT; THENCE N53°05'42"W, 5.00 FEET TO A POINT; THENCE N00°02'46"E, 338.24 FEET TO THE POINT OF BEGINNING WITH ALL CONTAINING 0.98 ACRES MORE OR LESS.

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 March 23, 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.

MOVED BY Boesen TO ADOPT.

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FORM APPROVED:

Judy K Parks-Kruse

Judy K. Parks-Kruse, Assistant City Attorney

(21-2020-4.01)
(ZON2020-00005)

*Council Member Boesen abstains from voting based on an appearance of a conflict of interest.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
* BOESEN				
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			

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