



**Roll Call Number**

20-0520

**Agenda Item Number**

21

**Date** March 23, 2020

**RESOLUTION SETTING HEARING ON CITY INITIATED REQUEST TO REZONE  
PROPERTY LOCATED AT 1420 MULBERRY STREET**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on March 5, 2020, its members voted 11-0 in support of a motion to recommend **APPROVAL** of a City-initiated request to rezone property owned by Central Iowa Shelter and Services (owner), located at 1420 Mulberry Street ("Property") from "P2" Public, Civic, and Institutional District to "DX2" Downtown District, to allow expansion of the existing temporary shelter use for additional multiple household living units and area for service provision; and

**WHEREAS**, the Property is legally described as follows:

A PARCEL OF LAND SITUATED IN PART OF LOT 5 OF THE ORIGINAL PLAT OF THE NORTHEAST ¼ OF SECTION 8, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5<sup>TH</sup> PRINCIPAL MERIDIAN AND PART OF LOTS 2 AND 13 OF THE ORIGINAL PLAT OF THE NORTHWEST ¼ OF SECTION 9, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5<sup>TH</sup> PRINCIPAL MERIDIAN, AND PART OF LOT 5 OF KEENE & POINDEXTER'S ORIGINAL PLAT, AND PART OF VACATED LOTS 5, 6 AND 7 OF BLOCK 33 OF KEENE & POINDEXTER'S ADDITION, AND PART OF THE VACATED ALLEY LYING BETWEEN LOTS 5, 6 AND 7 OF BLOCK 33 OF KEENE & POINDEXTER'S ADDITION, AND PART OF VACATED CHERRY STREET LYING SOUTH OF LOTS 6 AND 7 OF BLOCK 33 OF KEENE AND POINDEXTER'S ADDITION, AND PART OF VACATED LOTS 5 AND 6 OF BLOCK 32 OF KEENE & POINDEXTER'S ADDITION, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, COUNTY OF POLK, STATED OF IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1 OF BLOCK 33 OF KEENE & POINDEXTER'S ADDITION; THENCE SOUTH 74°10'15" WEST, ASSUMED BEARING FOR THE PURPOSE OF THE DESCRIPTION, ON THE NORTHWESTERLY LINE OF SAID LOT 1 AND THE SOUTHWESTERLY PROLONGATION OF SAID NORTHWESTERLY LINE (ALSO BEING THE PRESENT SOUTHEASTERLY RIGHT-OF-WAY LINE OF MULBERRY STREET), 300.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 15°13'48" EAST, 347.00 FEET; THENCE SOUTH 74°10'15" WEST, 105.00 FEET; THENCE NORTH 76°23'32" WEST, 336.47 FEET; THENCE NORTH 15°13'48" WEST, 181.50 FEET TO THE SOUTHWESTERLY PROLONGATION OF SAID NORTHWESTERLY LINE OF SAID LOT 1 (ALSO BEING THE PRESENT SOUTHEASTERLY RIGHT-OF-WAY LINE OF MULBERRY STREET); THENCE NORTH 74°10'15" EAST ON THE SOUTHWESTERLY PROLONGATION OF SAID NORTHWESTERLY LINE OF SAID LOT 1 (ALSO BEING THE PRESENT SOUTHEASTERLY RIGHT-OF-WAY LINE OF MULBERRY STREET), 400.00 FEET TO THE POINT OF BEGINNING.



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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 in the Second (2nd) Floor MSC Board Room, Richard A. Clark Municipal Services Center, 1551 East M.L. King, Jr. Parkway, Des Moines, Iowa, at 5:00 p.m. on April 20, 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 Gatto TO ADOPT.

FORM APPROVED:

Judy K. Parks-Kruse

Judy K. Parks-Kruse, Assistant City Attorney

(ZON2020-00022)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, GRAY, MANDELBAUM, VOSS, WESTERGAARD, and 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