



Roll Call Number

20-0752

Agenda Item Number

24

Date May 4, 2020

RESOLUTION SETTING HEARING ON REQUEST FROM SCOTTISH RITE PARK, INC. TO AMEND PLANDSM FUTURE LAND USE DESIGNATION AND TO REZONE PROPERTY LOCATED AT 2909 WOODLAND AVENUE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on April 16, 2020, its members voted 12-0 in support of a motion to recommend APPROVAL of a request from Scottish Rite Park, Inc. (owner), represented by Daniel J. Boor (officer), to amend the PlanDSM: Creating Our Tomorrow future land use designation for real property locally known as 2909 Woodland Avenue ("Property") from Public/Semi-Public to Neighborhood Mixed Use to allow rezoning to RX1 Mixed-Use District and allow for future consideration by the Zoning Board of Adjustment of a conditional use for a business selling liquor, wine and/or beer as a restaurant within the existing assisted living residential facility; and

WHEREAS, the City Plan and Zoning Commission has further advised that at a public hearing held on April 16, 2020, its members voted 12-0 in support of a motion to recommend APPROVAL of a request from Scottish Rite Park, Inc. to rezone the Property from NX3 Neighborhood Mix District to RX1 Mixed-Use District for the conditional use purpose described above; and

WHEREAS, the Property is legally described as follows:

ALL OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 78 NORTH, RANGE 24, WEST OF THE 5TH P.M., EXCEPT THE WEST 576 FEET; EXCEPT THE NORTH 155 FEET OF THE EAST 500 FEET; EXCEPT THE SOUTH 33 FEET; AND EXCEPT THE EAST 33 FEET, 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 rezoning is to be considered, and at which time the City Council will hear both those who oppose and those who favor the proposal, shall be held at 5:00 p.m. on May 18, 2020, by electronic means in accordance with the Governor's and Mayor's Proclamations.
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. The City Clerk is instructed to provide this notice including information about participation in the electronic meeting as indicated above.

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MOVED BY Gatto TO ADOPT.

FORM APPROVED:

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

(21-2020-4.07)
(ZON2020-00032)

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