



Roll Call Number

20-1110

Agenda Item Number

26

Date July 13, 2020

**RESOLUTION SETTING HEARING ON REQUEST FROM GRASSO PROPERTIES ONE, LLC
TO AMEND PLANDSM FUTURE LAND USE DESIGNATION AND
TO REZONE PROPERTY LOCATED AT 3206 UNIVERSITY AVENUE**

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on July 2, 2020, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from Grasso Properties One, LLC (purchaser), represented by Steve Grasso (officer), to amend the PlanDSM: Creating Our Tomorrow future land use designation for real property locally known as 3206 University Avenue ("Property") from Low Density Residential and Low-Medium Density Residential to Community Mixed Use to allow rezoning to Limited MX3 Mixed Use District and reuse of the basement of the existing Drake University building for a Self-Service Storage use, subject to the following conditions:

- (1) The Property shall be brought into conformance with current landscaping standards with any site plan.
- (2) Permitted uses shall be limited to self-service storage, and uses allowed in common by the MX3 and RX1 zoning district; and

WHEREAS, the City Plan and Zoning Commission has further advised that at a public hearing held on July 2, 2020, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from Grasso Properties One, LLC to rezone the Property from P2 Public, Civic and Institutional District to Limited MX3 Mixed Use District for the above-described purpose; and

WHEREAS, the Property is legally described as follows:

THE EAST HALF OF LOT 3 IN LYON'S PARK, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA, TOGETHER WITH THE EASEMENT GRANTED BY THE CITY OF DES MOINES TO THE GRANTOR DATED MARCH 6, 1987 AND RECORDED IN BOOK 5693 PAGE 210 POLK COUNTY, IOWA RECORDS.

AND

THE EAST 75 FEET OF THE SOUTH 20 FEET OF THE WEST HALF OF LOT 3 IN LYON'S PARK, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA.

AND

LOT 9 AND THE EAST 30 FEET OF LOT 10 IN LYON'S PARK PLAT NO. 2, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA; EXCEPT FOR PARCEL 'A' OF LOT 10, SAID LYON'S PARK PLAT NO. 2, AS SHOWN IN PLAT OF SURVEY RECORDED IN BOOK 9910, PAGE 813.

AND

LOT 8 IN LYON'S PARK PLAT NO. 2, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA.

AND

LOT 16 IN LYON'S PARK PLAT NO. 2, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA; EXCEPT FOR PARCEL 'A' OF LOT 16, SAID LYON'S PARK PLAT NO. 2, AS SHOWN IN PLAT OF SURVEY RECORDED IN BOOK 10135, PAGE 779.

ALL CONTAINING 1.73 ACRES (75,423 S.F.)



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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 amendment to the comprehensive plan future land use designation and proposed zoning are to be considered, and at which time the City Council will hear both those who oppose and those who favor the proposals, shall be held at 5:00 p.m. on August 3, 2020, by electronic means to encourage and maintain social distancing to curb the spread of COVID19 in the community, with or without public access to the meeting location.
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.

MOVED BY Gatto TO ADOPT.

FORM APPROVED:

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

(21-2020-4.10)
(ZON2020-00062)

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

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.

Signature of P. Kay Cmelik

City Clerk

Signature of J. M. Franklin Cownie, Mayor