



Roll Call Number

20-1957

Agenda Item Number

54

Date November 23, 2020

RESOLUTION HOLDING HEARING ON REQUEST FROM HIGHLAND PARK APARTMENTS, LLC, TO AMEND PLANDSM FUTURE LAND USE DESIGNATION AND TO REZONE PROPERTY LOCATED AT 622 EUCLID AVENUE

WHEREAS, on November 9, 2020, by Roll Call No. 20-1764, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on October 15, 2020, its members voted 14-0 in support of a motion to recommend APPROVAL of a request from Highland Park Apartments, LLC (owner), represented by Tim Bratvold (officer), to amend the PlanDSM: Creating Our Tomorrow future land use designation for real property locally known as 622 Euclid Avenue ("Property") from Low Medium Density Residential within a Neighborhood Node to High Density Residential within a Neighborhood Node, to allow the existing multiple-household dwelling to be used for 10 household living units; and

WHEREAS, on November 9, 2020, by Roll Call No. 20-1764, the City Council received a further communication from the City Plan and Zoning Commission advising that at a public hearing held on October 15, 2020, its members voted 14-0 in support of a motion to recommend APPROVAL of a request from Highland Park Apartments, LLC to rezone the Property from 'NX1' Neighborhood Mix District to 'NX2' Neighborhood Mix District for the above-described purpose; and

WHEREAS, on November 9, 2020, by Roll Call No. 20-1764, it was duly resolved by the City Council that the request to amend the land use designation and to rezone the Property be set down for hearing on November 23, 2020 at 5:00 P.M., by electronic means in accordance with the Governor's and Mayor's Proclamations and to encourage and maintain social distancing to curb the spread of COVID19 in the community, without public access to the meeting location; and

WHEREAS, due notice of said hearing was published in the Des Moines Register, as provided by law, setting forth the time and place for hearing on said proposed land use amendment and rezoning; and

WHEREAS, in accordance with said notice, those interested in said proposed land use amendment and rezoning, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council; and

WHEREAS, the Legal Department has prepared an amendment to the Zoning Ordinance of the City of Des Moines to rezone the Property locally known as 622 Euclid Avenue, legally described as:

LOT 6 IN BLOCK 3 IN OAK PARK, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

from 'NX1' Neighborhood Mix District to 'NX2' Neighborhood Mix District for the purpose described above.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

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1. Upon due consideration of the facts, and any and all statements of interested persons and arguments of counsel, any objections to the proposed amendment to the PlanDSM future land use designation or rezoning of the Property to Limited MX3 Mixed Use District are hereby overruled, and the hearing is closed.
2. The proposed amendment to the PlanDSM: Creating Our Tomorrow Plan for the Property locally known as 622 Euclid Avenue from Low Medium Density Residential within a Neighborhood Node to High Density Residential within a Neighborhood Node is hereby approved.
3. The proposed rezoning of the Property, as legally described above, to to 'NX2' Neighborhood Mix District, is hereby found to be in conformance with the PlanDSM: Creating Our Tomorrow Land Use Plan and is approved, subject to final passage of an ordinance rezoning the Property as set forth herein.

MOVED BY Westergaard TO ADOPT.

FORM APPROVED: Judy K. Parks-Kruse
 Judy K. Parks-Kruse
 Assistant City Attorney

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

MOTION CARRIED

APPROVED

J. M. Franckha 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