



**Roll Call Number**

21-0491

**Agenda Item Number**

37

**Date** March 22, 2021

**RESOLUTION HOLDING HEARING ON REQUEST FROM MEIER FAMILY, LLC, TO REZONE PROPERTY LOCATED AT 1324 AND 1328 EAST EUCLID AVENUE**

**WHEREAS**, on March 8, 2021, by Roll Call No. 21-0372, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on February 18, 2021, its members voted 14-0 support of a motion to recommend **APPROVAL** of a request from of a request from Meier Family, LLC, (owner), represented by Charles Meier (officer), to rezone the real property locally known as 1324 and 1328 East Euclid Avenue (“Property”), from ‘MX3’ Mixed Use District to ‘RX2’ Mixed Use District, to allow the property to be redeveloped with ground floor Multiple Housing Living use; and

**WHEREAS**, on March 8, 2021, by Roll Call No. 21-0372, it was duly resolved by the City Council that that the request to rezone the Property be set down for hearing be set down for hearing on March 22, 2021 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 COVID 19 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 request to rezoning; and

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

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

THE NORTH 110.67 FEET OF THE WEST 75 FEET & EXCEPT THE SOUTH 2.5 FEET, THE EAST 188 FEET OF THE WEST 263 FEET & THE EAST 21 FEET OF THE SOUTH 116.8 FEET OF THE WEST 284 FEET OF LOT 2, EUCLID PLACE.

AND

EXCEPT THE SOUTH 2.5 FEET, THE WEST 75 FEET OF THE SOUTH 180 FEET OF LOT 2, EUCLID PLACE.

**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 rezoning of the Property to 'RX2' Mixed Use District are hereby overruled, and the hearing is closed.
2. The proposed rezoning of the Property, as legally described above, to 'RX2' Mixed Use 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

(ZON2021-00010)

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

MOTION CARRIED

APPROVED

J. M. Franke 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