



Roll Call Number

21-0613

Agenda Item Number

15

Date April 19, 2021

RESOLUTION SETTING HEARING ON REQUEST FROM AHEPA MANAGEMENT COMPANY TO REZONE PROPERTY LOCATED AT 1111 EAST ARMY POST ROAD

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on April 1, 2021, its members voted 13-0 in support of a motion to recommend APPROVAL of a request from AHEPA Management Company (purchaser), represented by Steve Beck (officer), to rezone the real property locally known as 1111 East Army Post Road ("Property") from CX Mixed Use District to Limited RX2 Mixed Use District, to allow construction of a multi-household building intended for senior (age 55+) Household Living use and allowing residential units on all floors, including ground floor level, subject to the following condition:

- 1. Any Household Living use of the Property shall be limited to senior (age 55+) residents; and

WHEREAS, the Property is legally described as follows:

An irregular shaped portion of Lot 12, Southridge Plat No. 2, an Official Plat, Des Moines, Polk County, Iowa, more particularly described as follows: Commencing at the southwest corner of said Lot 12; thence N00°42'50"W along the west line of said Lot 12, a distance of 94.00 feet; thence N90°00'00"E, a distance of 51.00 feet to the point of beginning; thence N00°42'50"W parallel with and 51.00 feet east of the west line of said Lot 12, a distance of 436.65.00 feet; thence N89°17'10"E, a distance of 455.20 feet; thence S00°10'24"W, a distance of 185.00 feet; thence S89°17'10"W, a distance of 43.00 feet; thence S00°10'24"W, a distance of 256.75 feet; thence N90°00'00"W, a distance of 405.39 feet to the point of beginning.

Subject to and together with any and all easements and restrictions of record.

Containing 187,488 Square Feet (4.30 Acres)

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 10, 2021, by electronic means to encourage and maintain social distancing to curb the spread of COVID19 in the community, 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.



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MOVED BY Gatto TO ADOPT.

FORM APPROVED:

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

(ZON2021-00029)

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.

MOTION CARRIED APPROVED
J. M. Frank Cownie Mayor

P. Kay Cmelik City Clerk