



Roll Call Number

21-1049

Agenda Item Number

68

Date June 28, 2021

RESOLUTION HOLDING HEARING ON REQUEST FROM ON POINT INVESTMENTS, LLC TO AMEND PLANDSM FUTURE LAND USE DESIGNATION AND TO REZONE PROPERTY LOCATED AT 2406 WOODLAND AVENUE

WHEREAS, on June 14, 2021, by Roll Call No. 21-0856, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on May 20, 2021, its members voted 10-1 in support of a motion to recommend **APPROVAL** of a request from On Point Investments, LLC (owner), represented by Jennifer Echterling (officer), to amend the PlanDSM: Creating Our Tomorrow future land use designation for real property locally known as 2406 Woodland Avenue (“Property”) from Low Density Residential in a Neighborhood Node to Medium Density Residential in a Neighborhood Node, to allow rezoning to ‘N5-2’ Neighborhood District to allow use of the property for a Two Household Living dwelling; and

WHEREAS, the City Plan and Zoning Commission has further advised that at a public hearing held on May 20, 2021, its members voted 10-1 in support of a motion to recommend **APPROVAL** of a request from On Point Investments, LLC Company (Owner), represented by Jennifer Echterling (officer), to rezone the Property from ‘N5’ Neighborhood District to ‘N5-2’ Neighborhood District for the above-stated purpose; and

WHEREAS, on June 14, 2021, by Roll Call No. 21-0856, it was duly resolved by the City Council that the request to amend PlanDSM and to rezone the Property be set down for hearing on June 28, 2021 at 5:00 P.M., in the Council Chambers; 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 amendment to PlanDSM and proposed rezoning; and

WHEREAS, in accordance with said notice, those interested in said proposed amendment to PlanDSM and 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; 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 2406 Woodland Avenue, legally described as:

LOT 24 IN INGERSOLL PLACE, AND THE NORTH ½ OF VACATED E/W ALLEY LYING SOUTH OF AND ADJOINING LOT 24, INGERSOLL PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.



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from 'N5' Neighborhood District to 'N5-2' Neighborhood District.

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

- 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 PlanDSM and proposed rezoning of the Property to 'N5-2' Neighborhood District are hereby overruled, and the hearing is closed.
2. The proposed amendment to PlanDSM: Creating Our Tomorrow Plan to revise the future land use classification for the Property from Low Density Residential in a Neighborhood Node to Medium Density Residential in a Neighborhood Node is hereby approved.
3. The proposed rezoning of the Property, as legally described above, to 'N5-2' Neighborhood 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 Mandelbaum TO ADOPT.

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

(21-2021-4.14)
(ZON2021-00047)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, GRAY, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL (YEAS: 7).

MOTION CARRIED APPROVED
P. 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