



Roll Call Number

21-1368

Agenda Item Number

43

Date August 23, 2021

RESOLUTION HOLDING HEARING ON REQUEST FROM BAKKIE PROPERTIES, LLC TO REZONE PROPERTY LOCATED AT 914 EAST EUCLID AVENUE

WHEREAS, on August 9, 2021, by Roll Call No. 21-1209, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on July 15, 2021, its members voted 13-0 in support of a motion to recommend **APPROVAL** of a request from Bakkie Properties, LLC (owner), represented by James Bakkie (officer), to rezone the real property locally known as 914 East Euclid Avenue (“Property”) from ‘MX3’ Mixed District to ‘RX2’ Mixed Use District, to allow development of additional Multiple Household Living dwellings on the property, where structures would contain dwelling units on the ground level; and

WHEREAS, on August 9, 2021, by Roll Call No. 21-1209, it was duly resolved by the City Council that the request to rezone the Property be set down for hearing on August 23, 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 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; 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 914 East Euclid Avenue, legally described as:

LOT THIRTEEN (13), IN EUCLID PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, EXCEPT THAT PART DESCRIBED AS PARCEL "A" ON THE PLAT OF SURVEY FILED JULY 14, 2010 IN BOOK 13507, PAGE 908 IN THE OFFICE OF THE POLK COUNTY RECORDER, POLK COUNTY, IOWA.

from ‘MX3’ Mixed District to ‘RX2’ Mixed Use District, for the purpose set forth above.

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 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,



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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
Assistant City Attorney

(ZON2021-00076)

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

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.

J. M. Franklin Cowrie Mayor

P. Kay Cmelik City Clerk