



Roll Call Number

21-1823

Agenda Item Number

34

Date December 6, 2021

RESOLUTION SETTING HEARING ON A CITY-INITIATED REQUEST TO AMEND PLANDSM FUTURE LAND USE DESIGNATION AND TO REZONE PROPERTY GENERALLY LOCATED IN THE AREA BOUNDED BY EAST UNIVERSITY AVENUE TO THE NORTH, INTERSTATE 235 (FREEWAY) TO THE EAST AND SOUTH, AND EAST 15TH STREET TO THE WEST, EXCEPT FOR PARCELS FRONTING EAST UNIVERSITY AVENUE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on November 18, 2021, its members voted 11-0 in support of a motion to recommend **APPROVAL** of a city-initiated request to amend the PlanDSM: Creating Our Tomorrow future land use designation for real property generally located in the area bounded by East University Avenue to the north, Interstate 235 (Freeway) to the east and south, and East 15th Street to the west, except for parcels fronting along East University Avenue (“Property”) from Business Park Use to Low Density Residential, to allow rezoning; and

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on November 18, 2021, its members voted 11-0 in support of a motion to recommend **APPROVAL** of a city-initiated request to rezone real property generally located in the area bounded by East University Avenue to the north, Interstate 235 (Freeway) to the east and south, and East 15th Street to the west, except parcels fronting along East University Avenue (“Property”) from ‘EX’ Mixed Use District to ‘NX1’ Neighborhood Mix District; and

WHEREAS, the Property is legally described as follows:

ALL PARCELS IN THE AREA BOUNDED BY: EAST UNIVERSITY AVENUE TO THE NORTH, EXCEPT FOR PARCELS WITH FRONTAGE ALONG EAST UNIVERSITY AVENUE; INTERSTATE 235 (FREEWAY) TO THE EAST AND SOUTH, AND EAST 16TH STREET TO THE WEST; AND ADDITIONALLY, ALL PARCELS WITHIN THE BLOCK THAT IS BOUNDED BY EAST 15TH STREET TO THE WEST, WALKER STREET TO THE NORTH, E 16TH TO THE EAST AND INTERSTATE 235 (FREEWAY) TO THE SOUTH IN THE CITY OF DES MOINES, POLK COUNTY, IOWA.

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 land use plan amendment and rezoning is to be considered, and at which time the City Council will hear both those who



Roll Call Number

21-1823

Agenda Item Number

34

Date December 6, 2021

oppose and those who favor the proposal, shall be held at 5:00 p.m. on December 20, 2021, at the Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa.

- 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.

MOVED BY Gatto TO ADOPT.

APPROVED AS TO FORM:

Judy K. Parks-Kruse
Assistant City Attorney

(ZONG-2021-000036)
(ZONG-2021-000037)

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.

T.M. Franklin Cownie Mayor

P. Kay Cmelik City Clerk