



Roll Call Number

22-0695

Agenda Item Number

32

Date May 9, 2022

RESOLUTION SETTING HEARING ON REQUEST FROM ELIA, LLC (OWNER) AND EASTER LAKE ESTATES, INC. (OWNER) TO AMEND PLANDSM FUTURE LAND USE DESIGNATION FOR PROPERTIES IN THE VICINITY OF 7221 SOUTHEAST 5TH STREET FROM MEDIUM DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on April 21, 2022, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from Elia, LLC (Owner) and Easter Lake Estates, Inc. (Owner), both represented by Phil Watson (officer), to amend the PlanDSM: Creating Our Tomorrow future land use designation for two parcels of real property in the vicinity of 7221 Southeast 5th Street from Medium Density Residential to High Density Residential to allow development of the properties with a density greater than 17 dwelling units per acre; and

WHEREAS, the Properties are legally described as follows:

Parcel 1 (Parcel 7824-34-401-003): Beginning 21 rods (346.5 feet) South of the Northwest corner of the Southeast ¼ of Section 34, Township 78 North, Range 24 West of the 5th P.M., Iowa; running thence South 24 rods (396 feet); then East 26 2/3 rods (440 feet); thence North 24 rods (396 feet); then west 26 2/3 rods (440 feet), to place of beginning, now included in and forming a part of the City of Des Moines, Polk County, Iowa.

AND

Parcel 2 (7221 SE 5TH ST or Parcel 7824-34-401-004): The North 742.5 feet of the west ½ of the West ½ of the Southeast ¼ of Section 34, Township 78 North, Range 24 West of the 5th P.M., Des Moines, Polk County, Iowa, Except the North 330.0 feet thereof, and Except the South 396.0 feet of the West 440.0 feet thereof.

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 amendment to the comprehensive plan future land use designation 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 23, 2022 in the Council Chambers, City Hall, 400 Robert D. Ray, Drive, Des Moines.



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- 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 Boesen to adopt. Second by Gatto

APPROVED AS TO FORM:

/s/ Gary D. Goudelock
Gary D. Goudelock
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				✓
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
SHEUMAKER	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			1

MOTION CARRIED

APPROVED

John Fubelli

MAYOR PRO TEM

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