



**Roll Call Number**

**Agenda Item Number**

22-0948

70

**Date** June 13, 2022

**RESOLUTION HOLDING HEARING ON REQUEST FOR REZONING FROM CITY OF DES MOINES PARKS AND RECREATION (OWNER), REPRESENTED BY BENJAMIN PAGE (OFFICER), FOR PRINCIPAL PARK, LOCATED IN THE VICINITY OF 1 LINE DRIVE.**

**WHEREAS**, on May 23, 2022, by Roll Call No. 22-0781, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on May 19, 2022, the City Plan and Zoning Commission voted 11-0 with one abstention in support of a motion to recommend **APPROVAL** of a request from **City of Des Moines Parks and Recreation (Owner), represented by Benjamin Page (Officer)**, to amend the PlanDSM: Creating Our Tomorrow future land use designation from Parks and Open Space to Public/Semi-Public, and to rezone the property from “F” Flood District and “P2” Public, Civic and Institutional District to “P2” Public, Civic and Institutional District, to allow interior renovations and additions to the existing facility; and

**WHEREAS**, on May 23, 2022, by Roll Call No. 22-0781, it was duly resolved by the City Council that the request for approval of the proposed PlanDSM Comprehensive Future Land Use Plan amendment and rezoning of the Property, legally described as follows, be set down for hearing on June 13, 2022, at 5:00 P.M., in the Council Chamber at City Hall:

A PARCEL OF LAND IN A PART OF THE EAST HALF (E 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 9, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., AND IN A PART OF THE WEST HALF (W 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 10, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH BANK OF THE RACCOON RIVER AND EAST RIGHT OF WAY LINE OF SOUTHWEST 3RD STREET; THENCE NORTHERLY ALONG SAID EAST RIGHT OF WAY LINE OF SOUTHWEST 3RD STREET TO THE EAST RIGHT OF WAY LINE OF SOUTHWEST 2ND STREET; THENCE CONTINUING NORTHERLY ALONG SAID EAST RIGHT OF WAY LINE OF SOUTHWEST 2ND STREET TO THE SOUTH RIGHT OF WAY LINE OF WEST MARTIN LUTHER KING JR PARKWAY; THENCE EAST ALONG SAID WEST MARTIN LUTHER KING JR PARKWAY TO THE WEST BANK OF THE DES MOINES RIVER; THENCE SOUTHERLY ALONG SAID WEST BANK OF THE DES MOINES RIVER TO SAID NORTH BANK OF THE RACCOON RIVER; THENCE WESTERLY ALONG SAID NORTH BANK OF THE RACCOON RIVER TO THE POINT OF BEGINNING, ALL INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA; 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 the PlanDSM Comprehensive Future Land Use Plan and the proposed rezoning; and

★ Roll Call Number

22-0948

Agenda Item Number

70

Date June 13, 2022

**WHEREAS**, the Legal Department has prepared an amendment to the Zoning Ordinance of the City of Des Moines to rezone the Property from “F” Flood District and “P2” Public, Civic and Institutional District to “P2” Public, Civic and Institutional District; and

**WHEREAS**, in accordance with said notice, those interested in said proposed Comprehensive Future Land Use Plan amendment 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.

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

1. The communication from the Plan and Zoning Commission is hereby received and filed.
2. 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 the PlanDSM: Creating Our Tomorrow Comprehensive Future Land Use Plan designation for 1 Line Drive from Medium Density Residential to High Density Residential and regarding the proposed rezoning from “F” Flood District and “P2” Public, Civic and Institutional District to “P2” Public, Civic and Institutional District are hereby received and filed, any and all objections to the proposed amendment and rezoning are overruled, and the hearing is closed.
3. The proposed amendment to the PlanDSM: Creating Our Tomorrow Plan for the Property locally known as 1 Line Drive to Public/Semi-Public is hereby approved.
4. The proposed rezoning of the Property, as legally described above, to “P2” Public, Civic, and Institutional 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. Second by Gatto

APPROVED AS TO FORM:

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



Roll Call Number

22-0948

Agenda Item Number

70

Date June 13, 2022

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

MOTION CARRIED

APPROVED

*J. M. Frankin Cownie* Mayor

CERTIFICATE

I, LAURA BAUMGARTNER, Acting 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.

*Laura Baumgartner* Acting City Clerk