

★ **Roll Call Number**  
22-1057

**Agenda Item Number**  
58 ✓

**Date** June 27, 2022

**RESOLUTION HOLDING HEARING ON REQUEST FROM BOS INVESTMENTS, LLC (OWNER) AND PPDSM, LLC (OWNER) REGARDING PROPERTY IN THE VICINITY OF 6501 HICKMAN ROAD AND 2404 WESTOVER BOULEVARD TO AMEND PLANDSM TO REVISE THE FUTURE LAND USE DESIGNATION FROM NEIGHBORHOOD MIXED USE TO COMMUNITY MIXED USE**

**WHEREAS**, on June 13, 2022, by Roll Call No. 22-0883, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on May 19, 2022, its members voted 11-0 with one abstention in support of a motion to recommend **APPROVAL** of a request from BOS Investments, LLC (Owner) represented by Jim Sinclair (Officer) and PPDSM, LLC (Owner) represented by Adam Sieren (Officer), to amend the PlanDSM: Creating Our Tomorrow future land use designation from Neighborhood Mixed Use to Community Mixed Use to allow development of the property with a density of up to 17 dwelling units per acre; and

**WHEREAS**, on June 13, 2022, by Roll Call No. 22-0883, 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 27, 2022, at 5:00 P.M., in the Council Chamber at City Hall:

**2404 Westover BLVD – Legal Description**

THE SOUTH 102 FEET OF THE EAST 142 FEET OF LOT 11 AND THE NORTH 48 FEET OF THE EAST 142 FEET OF LOT 12 IN WESTOVER, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, EXCEPT THAT PART CONVEYED TO THE STATE OF IOWA BY WARRANTY DEED RECORDED IN BOOK 13788, PAGE 268

**6501 Hickman Road – Legal Description**

THE EAST 251.25 FEET OF THE WEST 822.25 FEET OF LOT 12 AND THE EAST 251.25 FEET OF THE WEST 822.25 FEET OF THE SOUTH 102 FEET OF LOT 11 IN WESTOVER, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, EXCEPT THAT PART CONVEYED TO THE STATE OF IOWA BY WARRANTY DEED IN BOOK 4146 PAGE 139, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD; 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



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**WHEREAS**, in accordance with said notice, those interested in said proposed Comprehensive Future Land Use Plan amendment, 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. 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 6501 Hickman Road and 2404 Westover Boulevard are hereby received and filed, any and all objections to the proposed amendment are overruled, and the hearing is closed.
2. The proposed amendment to the PlanDSM: Creating Our Tomorrow Plan for the Property locally known as 6501 Hickman Road and 2404 Westover Boulevard to Community Mixed Use is hereby approved.

Moved by Boesen to adopt. Second by Gatto

APPROVED AS TO FORM:

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

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

MOTION CARRIED

APPROVED

J. M. Franklin 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