



**Date** August 8, 2022..

**RESOLUTION SETTING HEARING ON REQUEST FROM DRAKE NEIGHBORHOOD ASSOCIATION (OWNER) TO AMEND PLANDSM FROM MEDIUM DENSITY RESIDENTIAL TO PARK/OPEN SPACE AND TO REZONE THE RECENTLY VACATED PROPERTY LOCATED IN THE VICINITY OF 2400 BLOCK OF COTTAGE GROVE AVENUE TO “P1” PUBLIC/PRIVATE OPEN SPACE DISTRICT TO ALLOW DEVELOPMENT OF THE OPEN SPACE WITH A GARDEN, SWING, AND NEIGHBORHOOD ENTRANCE SIGN**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on July 21, 2022, its members voted 13-0 in support of a motion finding the requested rezoning for Property located in the vicinity of 2400 Block of Cottage Grove Avenue is not in conformance with the existing PlanDSM future land use designation of Medium Density Residential; and

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on July 21, 2022, its members voted 13-0 in support of a motion to recommend **APPROVAL** of a request from Drake Neighborhood Association (Owner[s]), represented by Lori Calhoun (Officer), to amend the PlanDSM: Creating Our Tomorrow future land use designation for Property located in the vicinity of 2400 Block of Cottage Grove Avenue from Medium Density Residential to Park/Open Space; to rezone the Property to “P1” Public, Civic, and Institutional District to allow development of the open space, and determined the requested rezoning is in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan:

**WHEREAS**, the Property is legally described as follows:

A PART OF LOT 188, UNIVERSITY LAND CO.'S FIRST ADDITION TO DES MOINES, AN OFFICIAL PLAT NOW INCLUDED IN THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 189 OF SAID UNIVERSITY LAND CO.'S FIRST ADDITION TO DES MOINES; THENCE SOUTH 19' 41" EAST ALONG THE EAST LINE OF SAID LOT 189, A DISTANCE OF 38.23 FEET; THENCE NORTH 40' 19" EAST, 67.84 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 56°58'12" EAST, 63.50 FEET; THENCE SOUTH 10°01'48" WEST, 8.08 FEET; THENCE SOUTH 60° 04'32" WEST, 60.00 FEET; THENCE NORTH 00° 08'06" EAST, 72.50 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.05 ACRES (2,119 S.F.).

**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



**Roll Call Number**

22-1251

**Agenda Item Number**

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plan future land use designation and rezoning are 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 August 22, 2022 in the Council Chambers, City Hall, 400 Robert D. Ray, Drive, Des Moines.

- 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. SECOND BY Boesen

**FORM APPROVED:**

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

(ZONG-2022-000063)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
SHEUMAKER	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
<b>TOTAL</b>	<u>7</u>			

MOTION CARRIED

APPROVED

J. M. Franklin Cownie Mayor

**CERTIFICATE**

I, LAURA BAUMGARTNER, 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 City Clerk