



Roll Call Number

22-1416

Agenda Item Number

36

Date September 12, 2022

RESOLUTION SETTING PUBLIC HEARING REGARDING REQUEST FROM 1348 E EUCLID AVE, LLC (OWNER) REPRESENTED BY BRAD LOWE (OFFICER) FOR THE FOLLOWING REGARDING PROPERTY LOCATED IN THE VICINITY OF 1331 EAST DOUGLAS AVENUE: TO AMEND PLANDSM CREATING OUR TOMORROW PLAN TO REVISE THE FUTURE LAND USE CLASSIFICATION FROM LOW DENSITY RESIDENTIAL TO COMMUNITY MIXED USE, AND TO REZONE THE PROPERTY FROM “N3A” NEIGHBORHOOD DISTRICT TO LIMITED “RX2” MIXED USE DISTRICT

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on September 1, 2022, its members voted 13-0 in support of a motion to recommend **APPROVAL** of a request from 1348 E. Euclid Ave, LLC (Owner), represented by Brad Lowe (Officer), for the proposed rezoning from “N3a” Neighborhood District to Limited “RX2” Mixed Use District be found not in conformance with the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation of Low Density Residential; and

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on September 1, 2022, its members voted 13-0 in support of a motion to recommend **APPROVAL** of a request from 1348 E. Euclid Ave, LLC (Owner), represented by Brad Lowe (Officer), to amend the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation for the subject property from Low Density Residential to Community Mixed Use; and

WHEREAS, the City Plan and Zoning Commission has further advised that at a public hearing held on September 1, 2022, its members voted 13-0 in support of a motion to recommend **APPROVAL** of a request from 1348 E. Euclid Ave, LLC (Owner), represented by Brad Lowe (Officer), to rezone the Property from “N3a” Neighborhood District to Limited “RX2” Mixed Use District, to allow the use of the property in common with the property immediately to the south, which is being converted from a motel use to a multiple-household use, subject to the following conditions:

1. There shall be no driveway to the Property from East Douglas Avenue.

WHEREAS, the Property is legally described as follows:

THE SOUTH 160.8 FEET OF LOTS 1, 2, 3 AND 4, AND THE WEST 11 FEET OF THE NORTH 145 FEET OF LOT 4, IN ELLEN PLACE, AN OFFICIAL PLAT IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA. PARCEL #7924-26-227-011, 7924-26-227-012, 7924-26-227-013 AND 7924-26-227-014.

SUBJECT TO GENERAL TAXES PAYABLE IN FUTURE INSTALLMENTS, AND SUBJECT TO EASEMENT FILED MARCH 7, 1989 IN BOOK 6067 AT PAGE 85 OF THE RECORDS OF POLK COUNTY, IOWA.

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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 amendments to PlanDSM Creating Our Tomorrow comprehensive Plan and proposed rezoning are to be considered, and at which time the City Council will hear both those who oppose and those who favor the proposals, shall be held at Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on October 3, 2022, at which time the City Council will hear both those who oppose and those who favor the proposals.
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-2022-000075)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
SHEUMAKER	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

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