

Date October 24, 2022

RESOLUTION HOLDING 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, represented by Brad Lowe (Officer), to Amend PlanDSM Creating Our Tomorrow Plan to Revise the Future Land Use Classification from Low Density Residential to Community Mixed Use, 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, and determined the requested rezoning is in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan 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.

WHEREAS, on September 12, 2022, by Roll Call No. 22-1416, it was duly resolved by the City Council that the request for approval of the proposed amendment and rezoning be set down for hearing on October 3, 2022, at 5:00 p.m., at the City Council Chambers; 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 proposals; and

WHEREAS, in accordance with said notice, the City Council began the public hearing at the aforementioned date and time and voted to continue the hearing until October 24, 2022 at 5:00 P.M. in



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order for the Applicant to return an executed Acceptance of Zoning Condition in accordance with Iowa law; and

WHEREAS, those interested in said proposals, 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 and rezoning are hereby overruled, and the hearing is closed.
2. The proposed amendment to PlanDSM: Creating Our Tomorrow Plan to revise the future land use classification for the Property from Low Density Residential to Community Mixed Use is hereby approved.
3. The proposed rezoning of the Property, as legally described above, from "N3a" to Limited "RX2" Mixed Use District, to allow 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, is hereby approved, subject to final passage of an ordinance rezoning the Property as set forth herein:
 1. There shall be no driveway to the Property from East Douglas Avenue.

MOVED BY Westergaard TO ADOPT. SECOND BY Voss

FORM APPROVED:

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

(ZONG-2022-000075)



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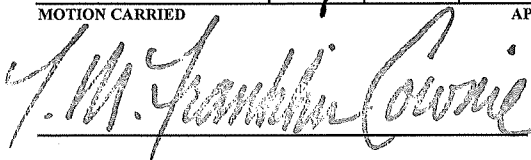
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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
SHEUMAKER	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

 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.



City Clerk