



**Roll Call Number**

23-0060

**Agenda Item Number**

44

**Date** January 9, 2023

**RESOLUTION HOLDING PUBLIC HEARING ON REQUEST FROM NEIGHBORHOOD DEVELOPMENT CORP (OWNER) TO AMEND PLANDSM TO REVISE THE FUTURE LAND USE DESIGNATION AND TO REZONE THE PROPERTY LOCATED AT 2211 UNIVERSTIY AVENUE**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on December 1, 2022, its members voted 13-0 in support of a motion to recommend **APPROVAL** of a request from Neighborhood Development Corp (Owner), represented by Abbey Gilroy (officer), for the following regarding property located at 2211 University Avenue, to allow redevelopment of the site with a new three-story, mixed-use building:

Part A) The requested rezoning be found not in conformance with the existing PlanDSM future land use designation of Low-Medium Density.

Part B) Approval of the request to revise the future land use classification for the northernmost 60 feet of the property from Low-Medium Density Residential within a Neighborhood Node to Neighborhood Mixed Use.

Part C) Approval of the request to rezone the property from “RX2” Neighborhood Mixed Use District to “MX2” Mixed Use District.

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

LOTS 363, LOT 364, AND 365 IN UNIVERSITY LAND COMPANY’S SECOND ADDITION TO UNIVERSITY PLACE, NOW INCLUDING IN AND FORMING A PART OF THE CITY OF DES MOINES, IA; and

**WHEREAS**, on December 12, 2022, by Roll Call No. 22-1883, 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 January 9, 2023, 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, 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

★ Roll Call Number  
23-0060

Agenda Item Number  
44

Date January 9, 2023

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 northernmost 60 feet of the property from Low-Medium Density Residential within a Neighborhood Node to Neighborhood Mixed Use is hereby approved.
3. The proposed rezoning of the Property, as legally described above, from "RX2" Neighborhood Mixed Use District to "MX2" Mixed Use District to allow the use of the property for redevelopment of the site with a new three-story, mixed-use building is hereby approved.

MOVED BY Sheumaker TO ADOPT. SECOND BY Boesen.

FORM APPROVED:

/s/ Lisa A. Wieland  
 Lisa A. Wieland  
 Assistant City Attorney

(COMP-2022-000000 & ZONG-2022-000097)

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