

**Date** February 6, 2023

**RESOLUTION SETTING PUBLIC HEARING REGARDING REQUEST FROM TWENTY-FIVE THIRTEEN WOODLAND, LLC (OWNER) REPRESENTED BY STEVE WILKE-SHAPIRO (OFFICER) FOR THE FOLLOWING REGARDING PROPERTY LOCATED AT 2513 WOODLAND AVENUE TO AMEND PLANDSM CREATING OUR TOMORROW PLAN TO REVISE THE FUTURE LAND USE CLASSIFICATION FROM LOW DENSITY RESIDENTIAL TO NEIGHBORHOOD MIXED USE, AND TO REZONE THE PROPERTY FROM “N5” NEIGHBORHOOD DISTRICT TO LIMITED “RX1” MIXED USE DISTRICT TO ALLOW FOR RENOVATION OF THE EXISTING BUILDING ON THE PROPERTY FOR AN OFFICE USE**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on January 19, 2023, its members voted 14-0 in support of a motion to recommend **APPROVAL** of a request from Twenty-Five Thirteen Woodland, LLC (owner), represented by Steve Wilke-Shapiro (officer), for the proposed rezoning to Limited “RX1” 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 January 19, 2023, its members voted 14-0 in support of a motion to recommend **APPROVAL** of a request from Twenty-Five Thirteen Woodland, LLC (owner), represented by Steve Wilke-Shapiro (officer), for the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation for the subject property from Low Density Residential to Neighborhood Mixed Use; and

**WHEREAS**, the City Plan and Zoning Commission has further advised that at a public hearing held on January 19, 2023, its members voted 14-0 in support of a motion to recommend **APPROVAL** of a request from Twenty-Five Thirteen Woodland, LLC (owner), represented by Steve Wilke-Shapiro (officer), to rezone the Property from “N5” Neighborhood District to Limited “RX1” Mixed Use District, to allow for renovation of the existing building on the property for an office use, subject to the following conditions:

1. Use of the property shall be limited to the following:
  - a. Any use as a permitted and limited in the “N5” Neighborhood District
  - b. An “Office: Business or Professional” use, per City Code Section 134-3.5.13.A.
2. Any future renovation of the existing structure shall be in accordance with the Secretary of the Interior’s Standards for Rehabilitation, to the satisfaction of the City’s Planning and Urban Design Administrator.

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

★ **Roll Call Number**  
23.0157

**Agenda Item Number**  
19

**Date** February 6, 2023

THE EAST 37 FEET OF LOT 24 IN WOODLAND PLACE, AN OFFICIAL PLAT, NOW IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

**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 City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on February 20, 2023.
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/ Chas M. Cahill  
Chas M. Cahill  
Assistant City Attorney

(COMP-2022-000002; ZONG-2022-000100)

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