



Roll Call Number

23-0250

Agenda Item Number

46

Date February 20, 2023

RESOLUTION HOLDING PUBLIC HEARING REGARDING REQUEST FROM TWENTY-FIVE THIRTEEN WOODLAND, LLC TO AMEND PLANDSM CREATING OUR TOMORROW PLAN FUTURE LAND USE CLASSIFICATION AND TO REZONE THE PROPERTY LOCATED AT 2513 WOODLAND AVENUE 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), to revise 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 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 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:

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.

WHEREAS, on February 6, 2023, by Roll Call No. 23-0157, 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 February 20, 2023, at 5:00 p.m., at the City Council Chambers; and

★ Roll Call Number
230250

Agenda Item Number
46

Date February 20, 2023

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 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 Neighborhood Mixed Use is hereby approved.
3. The proposed rezoning of the Property, as legally described above, 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 conditions set forth above, is hereby approved, subject to final passage of an ordinance rezoning the Property as set forth herein.

MOVED BY Mandelbaum 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

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.

M. Frank Cownie Mayor

Laura Baumgartner City Clerk