



**Roll Call Number**

23-0327

**Agenda Item Number**

49

**Date** March 6, 2023

**RESOLUTION HOLDING PUBLIC HEARING REGARDING REQUEST FROM URBAN DREAMS (OWNER), REPRESENTED BY IZAAH KNOX, TO AMEND PLANDSM TO REVISE THE FUTURE LAND USE DESIGNATION AND TO REZONE THE PROPERTY LOCATED AT 1615 2<sup>ND</sup> AVENUE**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on February 2, 2023 its members voted 10-0 in support of a motion to recommend **APPROVAL** of a request from Urban Dreams (Owner), represented by Izaah Knox, for the proposed rezoning from “I1” Industrial” District to “MX3” Mixed Use District be found not in conformance with the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation of Industrial; and

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on February 2, 2023, its members voted 10-0 in support of a motion to recommend **APPROVAL** of a request from Urban Dreams, represented by Izaah Knox, to amend the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation for the subject property from Industrial to Community Mixed Use; and

**WHEREAS**, the City Plan and Zoning Commission has further advised that at a public hearing held on February 2, 2023, its members voted 10-0 in support of a motion to recommend **APPROVAL** of a request from Urban Dreams, represented by Izaah Knox, to rezone the Property from “I1” Industrial District to “MX3” Mixed Use District to allow renovation and reuse of the existing building for “Office” and “Assembly Space” uses; and

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

LOTS 11, 12, 13, 17 AND A PORTION OF LOTS 16 AND 15 ALL IN ROLLINSON PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND ALL OF WHICH IS MORE ACCURATELY DESCRIBED AS FOLLOWS: BEGINNING AT THE S.W. CORNER OF SAID LOT 11; THENCE NORTH ALONG THE WEST LINE OF SAID LOTS 11, 12, 13, 17 AND 16, 225.0 FEET TO A POINT THAT IS 100.0 FEET SOUTH OF THE N.W. CORNER OF SAID LOT 16; THENCE EAST PARALLEL WITH AND 100.0 FEET SOUTH OF THE NORTH LINE OF SAID LOT 16 AND PARALLEL WITH AND 100.0 FEET SOUTH OF THE NORTH LINE OF LOTS 14 AND 15 IN SAID ROLLINSON PLACE, 144.0 FEET TO A POINT ON THE NORTH EXTENSION OF THE WEST LINE OF LOT 7 IN SAID ROLLINSON PLACE; THENCE SOUTH ALONG THE NORTH EXTENSION OF THE WEST LINE OF SAID LOT 7, 167.0 FEET TO THE N.W. CORNER OF SAID LOT 7, SAID POINT BEING ON THE SOUTHWESTERLY LINE OF SAID LOT 16; THENCE NORTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT 16, 22.85 FEET TO A POINT ON THE EAST LINE OF SAID LOT 12, SAID POINT BEING 26.0 FEET NORTH OF THE S.E. CORNER OF SAID LOT 12; THENCE SOUTH ALONG THE EAST LINE OF SAID LOTS

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12 AND 11, 76.0 FEET TO THE S.E. CORNER OF SAID LOT 11; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 11, 130.0 FEET TO THE POINT OF BEGINNING; and

**WHEREAS**, on February 20, 2023, by Roll Call No. 23-0222, 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 March 6, 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 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 Industrial to Community Mixed Use is hereby approved.
3. The proposed rezoning of the Property, as legally described above, from "I1" Industrial District to "MX3" Mixed Use District to allow renovation and reuse of the existing building for "Office" and "Assembly Space" uses, subject to the conditions set forth above, is hereby approved, subject to final passage of an ordinance rezoning the Property as set forth herein.



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MOVED BY Sheumaker TO ADOPT. SECOND BY Cownie.

FORM APPROVED:

/s/ Chas M. Cahill  
Chas M. Cahill  
Assistant City Attorney

(ZONG-2022-000102) (COMP-2023-000001)

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

**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.

MOTION CARRIED APPROVED  
J. M. Franke Cownie Mayor

Laura Baumgartner City Clerk