



Roll Call Number

23-0338

Agenda Item Number

56 A

Date March 6, 2023

**RESOLUTION SETTING HEARING ON A PROPOSED AMENDMENT TO THE
PLANDSM: CREATING OUR TOMORROW COMPREHENSIVE PLAN TO REVISE
THE FUTURE LAND USE CLASSIFICATION FROM PUBLIC/SEMI-PUBLIC TO
DOWNTOWN MIXED USE**

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on February 16, 2023, its members voted 12-0 in support of a motion to recommend **APPROVAL** to amend the PlanDSM: Creating Our Tomorrow future land use designation from Public/Semi-Public to Downtown Mixed Use for the area bound by Pennsylvania Avenue on the west, Des Moines Street on the south, East 9th Street on the east, and the freeway (I-235) on the north; and

WHEREAS, the Property is legally described as follows:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF DES MOINES STREET AND THE EAST RIGHT OF WAY LINE OF EAST 9TH STREET; THENCE SOUTHWESTERLY ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF DES MOINES STREET TO THE CENTERLINE OF THE PENNSYLVANIA AVENUE RIGHT OF WAY; THENCE NORTH ALONG SAID CENTERLINE OF THE PENNSYLVANIA AVENUE RIGHT OF WAY TO THE SOUTHWESTERLY EXTENSION OF THE NORTH RIGHT OF WAY LINE OF THE ALLEY IN BLOCK P OF GRIFFITHS' ADDITION NO.2 TO THE TOWN OF EAST FORT DES MOINES, POLK COUNTY, IOWA, AN OFFICIAL PLAT, THENCE NORTHEASTERLY ALONG SAID SOUTHWESTERLY EXTENSION AND ALONG SAID NORTH RIGHT OF WAY OF THE ALLEY IN SAID BLOCK P TO THE SOUTHWEST CORNER OF LOT 5 IN SAID BLOCK P; THENCE EASTERLY ALONG A STRAIGHT LINE TO THE NORTHEAST CORNER OF THE WEST 26.5 FEET OF LOT 2 IN OFFICIAL PLAT OF LOTS 15, 16, 17 & 18, BLOCK P, GRIFFITHS' ADDITION NO.2, AN OFFICIAL PLAT, SAID NORTHEAST CORNER ALSO BEING A CORNER OF PARCEL DEEDED TO THE STATE OF IOWA AND RECORDED IN BOOK 8684 PAGES 560-562 AT THE RECORDER'S OFFICE OF POLK COUNTY, IOWA; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID PARCEL DEEDED TO THE STATE OF IOWA TO THE SOUTHERLY LINE OF SAID PARCEL DEEDED TO THE STATE OF IOWA; THENCE EASTERLY ALONG SAID SOUTHERLY LINE OF SAID PARCEL DEEDED TO THE STATE OF IOWA TO THE WEST RIGHT OF WAY LINE OF EAST 9TH STREET; THENCE EAST ALONG A STRAIGHT LINE TO A POINT ON THE WEST LINE OF LOT 1, BLOCK 3, STEWART'S ADDITION TO THE CITY OF DES MOINES, POLK COUNTY, IOWA, AN OFFICIAL PLAT, SAID POINT BEING 32.18 FEET SOUTH ALONG SAID WEST LINE OF SAID LOT 1 FROM THE NORTHWEST CORNER OF SAID LOT 1, SAID WEST LINE OF SAID LOT 1 ALSO BEING THE EAST RIGHT OF WAY OF



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EAST 9TH STREET; THENCE SOUTH ALONG SAID EAST RIGHT OF WAY LINE OF EAST 9TH STREET TO THE POINT OF BEGINNING.

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 amendment to the comprehensive plan future land use designation is to be considered, and at which time the City Council will hear both those who oppose and those who favor the proposal, shall be held at 5:00 p.m. on March 27, 2023, in the Council Chambers, City Hall, 400 Robert D. Ray, Drive, Des Moines.
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 Mandelbaum to adopt. Second by Gatto

APPROVED AS TO FORM:

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

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
SHUEMAKER	✓			
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.

J. M. Franklin Cownie Mayor

Laura Baumgartner City Clerk