

Date October 23, 2023

RESOLUTION SETTING HEARING ON REQUEST FROM NEIGHBORHOOD DEVELOPMENT CORPORATION (OWNER), REPRESENTED BY ABBEY GILROY (OFFICER) TO AMEND PLANDSM TO REVISE THE FUTURE LAND USE DESIGNATION AND TO REZONE THE PROPERTY LOCATED AT 1408 31ST STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on October 5, 2023, its members voted 11-0 in support of a motion to recommend **APPROVAL** of the requested rezoning for Property located at 1408 31st Street is not in conformance with the existing PlanDSM future land use designation of Neighborhood Mixed Use within a Neighborhood Node; and

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on October 5, 2023, its members voted 11-0 in support of a motion to recommend **APPROVAL** of a request from Neighborhood Development Corporation (Owner), represented by Abbey Gilroy (Officer), to amend the PlanDSM: Creating Our Tomorrow future land use designation for the northern 50 feet of the Property located at 1408 31st Street from Neighborhood Mixed Use within a Neighborhood Node to Community Mixed Use within a Neighborhood Node; to rezone the Property from “MX1” Mixed Use District to “RX1” Mixed Use District, to allow the development of the property in common with the parcels to the south for two (2) multiple-household apartment buildings, and determined the requested rezoning is in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan:

WHEREAS, the Property is legally described as follows:

LOT 9 IN BLOCK 7 IN MERRITT AND FISCHER'S PARK, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, 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 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 November 6, 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.

★ Roll Call Number

23-1428

Agenda Item Number

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Date October 23, 2023

MOVED BY Gatto TO ADOP. SECOND BY Voss

FORM APPROVED:

/s/ Chas M. Cahill

Chas M. Cahill
Assistant City Attorney

(COMP-2023-000033) (ZONG-2023-000056)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			

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