

Date October 23, 2023

**RESOLUTION SETTING PUBLIC HEARING REGARDING REQUEST FROM STARLINK, LLC (OWNER), REPRESENTED BY BECKY HIU (OFFICER) FOR THE FOLLOWING REGARDING PROPERTY LOCATED AT 1900 ARLINGTON AVENUE, TO AMEND PLANDSM CREATING OUR TOMORROW PLAN TO REVISE THE FUTURE LAND USE CLASSIFICATION FROM LOW-MEDIUM DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL, AND TO REZONE THE PROPERTY FROM "N5" NEIGHBORHOOD DISTRICT TO "NX1" MIXED USE DISTRICT, TO ALLOW REUSE OF THE EXISTING STRUCTURE FOR MULTIPLE-HOUSEHOLD RESIDENTIAL USE WITH UP TO SEVEN (7) DWELLING UNITS**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on October 5, 2023, its members voted 5-5 without making any recommendation on a request from Starlink, LLC (owner), represented by Becky Hiu (officer), for the proposed rezoning for property located at 1900 Arlington Avenue from "N5" Neighborhood District to "NX1" Mixed Use District be found not in conformance with the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation of Low-Medium Density Residential; and

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on October 5, 2023, its members voted 5-5 without making any recommendation on a request from Starlink, LLC (owner), represented by Becky Hiu (officer), to amend the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation for the subject property from Low-Medium Density Residential to High Density Residential; and

**WHEREAS**, the City Plan and Zoning Commission has further advised that at a public hearing held on October 5, 2023, its members voted 5-5 without making any recommendation on a request from Starlink, LLC (owner), represented by Becky Hiu (officer), to rezone the property located at 1900 Arlington Avenue from "N5" Neighborhood District to "NX1" Neighborhood Mix District, to allow reuse of the existing structure for multiple-household residential use with up to seven (7) dwelling units; and

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

**LOTS 9 AND 10 IN ARLINGTON PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA, EXCEPT THAT PART OF SAID LOTS DESCRIBED AS FOLLOWS: COMMENCING AT THE SW CORNER OF LOT 10; THENCE EAST 35 FEET ALONG THE NORTH LINE OF FRANKLIN AVENUE, THENCE NORTH 71 1/2 FEET TO A POINT IN THE NORTH LINE LOT 9 WHICH IS 65 FEET NORTHEAST OF THE NORTHWEST CORNER OF LOT 9, THENCE WESTERLY TO THE NORTHWEST CORNER OF LOT 9, THENCE**

★ Roll Call Number  
23-1430

Agenda Item Number  
32

Date October 23, 2023

**SOUTHEASTERLY 56.4 FEET ALONG THE WEST LINE OF LOTS 9 AND 10 TO THE PLACE OF BEGINNING, AN OFFICIAL PLAT, NOW INCLUDED 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 November 6, 2023, at which time the City Council will hear both those who oppose and those who favor the proposals.
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 Voss

FORM APPROVED:

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

(COMP-2023-000028) (ZONG-2023-000046)

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

J. M. Frankhu Cowme 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