

★ **Roll Call Number**

23-1612

Agenda Item Number

16

Date November 20, 2023

RESOLUTION SETTING HEARING ON REQUEST FROM PROFESSOR HOLDINGS, LLC (OWNER), REPRESENTED BY HUA SUN (OFFICER) TO AMEND PLANDSM TO REVISE THE FUTURE LAND USE DESIGNATION AND TO REZONE THE PROPERTY LOCATED AT 1315 YORK STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on November 2, 2023, its members voted 13-0 in support of a motion finding the requested rezoning for Property located at 1315 York Street is not in conformance with the existing PlanDSM future land use designation of Low Density Residential within a Neighborhood Node; and

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on November 2, 2023 its members voted 13-0 in support of a motion to recommend **APPROVAL** of a request from Professor Holdings, LLC (Owner), represented by Hua Sun, to amend the PlanDSM: Creating Our Tomorrow future land use designation for Property located at 1315 York Street from Low Density Residential within a Neighborhood Node to Medium Density Residential within a Neighborhood Node; to rezone the Property from “N3c” Residential District to “N3c-4” Residential District to allow expansion of the existing off-street parking area, and determined the requested rezoning is in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan; and

WHEREAS, the Property is legally described as follows:

LOT 395 IN POLK AND HUBBELL’S ADDITION TO CAPITAL PARK, 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 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 December 4, 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



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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 Boesen

FORM APPROVED:

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

(ZONG-2023-000060)(COMP-2023-000037)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, COLEMAN, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL.

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. Franklin Cownie Mayor

Laura Baumgartner City Clerk