



Roll Call Number

23-1787

Agenda Item Number

51

Date December 18, 2023

RESOLUTION HOLDING PUBLIC HEARING REGARDING REQUEST FROM THIRTEEN FIFTY, LLC (OWNER), REPRESENTED BY JAKE SPARKS (OFFICER), TO AMEND PLANDSM TO REVISE THE FUTURE LAND USE DESIGNATION AND TO REZONE THE PROPERTY LOCATED AT 1350 EAST WASHINGTON AVENUE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on November 16, 2023, its members voted 10-0 in support of a motion to recommend **APPROVAL** of a request from Thirteen Fifty, LLC (owner), represented by Jake Sparks (officer), for the proposed rezoning from “NX2” Neighborhood Mix District to “MX1” 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 November 16, 2023, its members voted 10-0 in support of a motion to recommend **APPROVAL** of a request from Thirteen Fifty, LLC (owner), represented by Jake Sparks (officer), for the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation for the subject property from Low-Medium Density Residential to Neighborhood Mixed Use; and

WHEREAS, the City Plan and Zoning Commission has further advised that at a public hearing held on November 16, 2023, its members voted 10-0 in support of a motion to recommend **APPROVAL** of a request from Thirteen Fifty, LLC (owner), represented by Jake Sparks (officer), to rezone the Property from “NX2” Neighborhood Mix District to “MX1” Mixed Use District to allow renovation and reuse of the existing building for a mix of uses, such as office space, a studio, a café, and an urban garden/farm; and

WHEREAS, the Property is legally described as follows:

LOT 232 (EXCEPT THE EAST 7 FEET AND SOUTH 13 FEET) IN UNION ADDITION, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.; and

WHEREAS, on December 4, 2023, by Roll Call No. 23-1685, 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 December 18, 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.

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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 Low-Medium Density Residential to Neighborhood Mixed Use is hereby approved.
3. The proposed rezoning of the Property, as legally described above, from “NX2” Neighborhood Mix District to “MX1” Mixed Use District to allow renovation and reuse of the existing building for a mix of uses, such as office space, a studio, a café, and an urban garden/farm, is hereby approved, subject to final passage of an ordinance rezoning the Property as set forth herein.

MOVED BY Westergaard TO ADOPT.

SECOND BY Boesen.

FORM APPROVED:

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

(ZONG-2023-000064)(COMP-2023-000039)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			
MOTION CARRIED				
			APPROVED	

J. M. Franklin Cownie 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