



**Roll Call Number**

.....25-D114

**Agenda Item Number**

.....23

**Date** .....January 27, 2025.....

**RESOLUTION SETTING HEARING ON REQUEST FROM INVEST DSM, INC. (OWNER), REPRESENTED BY CHRISTOPHER CIVITATE (OFFICER) TO AMEND PLANDSM TO REVISE THE FUTURE LAND USE DESIGNATION AND TO REZONE THE PROPERTY IN THE VICINITY OF 3610 5<sup>TH</sup> AVENUE**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on January 16, 2025, its members voted 13-0 in support of a motion to recommend **APPROVAL** of a request from Invest DSM, Inc. (Owner), represented by Christopher Civitate (Officer), for the proposed rezoning from “MX1” Mixed Use District to Limited “RX1” Mixed Use District be found in conformance with the PlanDSM: Creating Our Tomorrow Plan Land Use Plan 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 January 16, 2025, its members voted 13-0 in support of a motion to recommend **APPROVAL** of a request from Invest DSM, Inc. (Owner), represented by Christopher Civitate (Officer), to amend the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation for the subject property from Low Density Residential within a Neighborhood Node to High Density Residential within a Neighborhood Node; and

**WHEREAS**, the City Plan and Zoning Commission has further advised that at a public hearing held on January 16, 2025, its members voted 13-0 in support of a motion to recommend **APPROVAL** of a request from Invest DSM, Inc. (Owner), represented by Christopher Civitate (Officer), to rezone the Property from “MX1” Mixed Use District to Limited “RX1” Mixed Use District, to allow redevelopment of the property for a multiple-household building with up to twelve (12) dwelling units, subject to the following conditions:

1. There shall be no more than twelve (12) dwelling units on the subject property (measuring approximately 0.298-acre).; and

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

**LOTS 9 AND 10 IN BLOCK 22 IN HIGHLAND 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 amendments to PlanDSM Creating Our Tomorrow comprehensive Plan and proposed rezoning are to be considered, and at which



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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 February 10, 2025, 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

(ZONG-2024-000043) (COMP-2024-000029)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
SIMONSON	✓			
VOSS	✓			
COLEMAN	✓			
WESTERGAARD	✓			
MANDELBAUM	✓			
GATTO	✓			
TOTAL	7			

MOTION CARRIED APPROVED

Connie Boesen 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