



Roll Call Number

20-1156

Agenda Item Number

62

Date July 13, 2020

RESOLUTION HOLDING HEARING ON REQUEST FROM ANCHOR INVESTMENT GROUP, LLC TO REZONE PROPERTY LOCATED AT 3116 VICTORIA DRIVE

WHEREAS, on April 25, 2016, by Roll Call No. 16-0717, the City Council adopted the PlanDSM: Creating Our Tomorrow Plan; and

WHEREAS, on June 22, 2020, by Roll Call No. 20-1004, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on June 4, 2020, its members voted 8-3-1 in support of a motion to recommend APPROVAL of a request from Anchor Investment Group, LLC (owner), represented by Michael Donlin (officer), to rezone the real property locally known as 3116 Victoria Drive ("Property") from N3b Neighborhood District to Limited N3b-2 Neighborhood District, to allow for conversion of the existing one-household residential dwelling to be restored to its original use as a two-household residential dwelling, subject to the condition that any two-household use shall be in conformance with the provisions applicable for either a House B or House C building type as set forth in Chapter 135 of the Des Moines Municipal Code; and

WHEREAS, on June 22, 2020, by Roll Call No. 20-1004, it was duly resolved by the City Council that the application from Anchor Investment Group, LLC to rezone the Property be set down for hearing on July 13, 2020 at 5:00 P.M., by electronic means to encourage and maintain social distancing to curb the spread of COVID19 in the community; 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 proposed rezoning; and

WHEREAS, in accordance with said notice, those interested in said proposed rezoning, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council; and

WHEREAS, the Legal Department has prepared an amendment to the Zoning Ordinance of the City of Des Moines to rezone the Property located at 3116 Victoria Drive, legally described as:

LOT 100 IN VAN SLYKE & DORSEY'S LINNWOOD PARK; AN OFFICIAL PLAT AND LOT 1 IN LINNWOOD PARK PLAT 2, AN OFFICIAL PLAT, ALL NOW INCLUDED IN THE CITY OF DES MOINES, POLK COUNTY, IOWA

from N3b Neighborhood District to Limited N3b-2 Neighborhood District, to allow for conversion of the existing one-household residential dwelling to be restored to its original use as a two-household residential dwelling, subject to the condition set forth above.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

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1. Upon due consideration of the facts, and any and all statements of interested persons and arguments of counsel, any objections to the proposed rezoning of the Property to Limited N3b-2 Neighborhood District, with condition as set forth above, are hereby overruled, and the hearing is closed.
2. The proposed rezoning of the Property, as legally described above, to Limited N3b-2 Neighborhood District, is hereby found to be in conformance with the PlanDSM: Creating Our Tomorrow Land Use Plan and is approved, subject to conditions set forth above and subject to final passage of an ordinance rezoning the Property as set forth herein.

MOVED BY Gray TO ADOPT.

FORM APPROVED:

/s/ Glenna K. Frank  
Glenna K. Frank, Assistant City Attorney

(ZON2020-00052)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

J. M. Franklin Cownie Mayor

CERTIFICATE

I, P. KAY CMELIK, 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.

P. Kay Cmelik

City Clerk