



Roll Call Number

21-1034

Agenda Item Number

61

Date June 28, 2021

RESOLUTION HOLDING HEARING ON REQUEST FROM TERRACE HILL I, LLC TO REZONE PROPERTY LOCATED AT 2525 GRAND AVENUE

WHEREAS, on June 14, 2021, by Roll Call No. 21-0855, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on May 20, 2021, its members voted 11-0 in support of a motion to recommend **APPROVAL** of a request from Terrace Hill I, LLC (owner), represented by Doug Saltsgaver (officer), to rezone the real property locally known as 2525 Grand Avenue (“Property”) from ‘RX2’ Mixed District to Limited ‘MX3’ Mixed Use District, to allow the existing building to be considered for a Conditional Use approval by the Zoning Board of Adjustment for a Bar associated with reuse of the property for a Hotel, subject to the conditions as follows:

1. That Permitted and Conditional Uses shall be limited as follows:
 - a. Any use as permitted and limited in the ‘RX2’ District, or
 - b. A Bar use associated with a Hotel use; and

WHEREAS, on June 14, 2021, by Roll Call No. 21-0085, it was duly resolved by the City Council that the request to rezone the Property be set down for hearing on June 28, 2021 at 5:00 P.M., in the 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 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 locally known as 2525 Grand Avenue, legally described as:

LOTS 8 AND 10 IN J. BAMPF PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, EXCEPT THE SOUTH 32.5 FEET OF THE EASTERMOST 120.3 FEET MEASURED ON THE SOUTH LINE THEREOF, OF LOT 8 IN J. BAMPF PLACE.

from ‘RX2’ Mixed District to Limited ‘MX3’ Mixed Use District, for the purpose and subject to the conditions set forth above.

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



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of counsel, any objections to the proposed rezoning of the Property to Limited MX3 Mixed Use District are hereby overruled, and the hearing is closed.

- 2. The proposed rezoning of the Property, as legally described above, to Limited MX3 Mixed Use District, is hereby found to be in conformance with the PlanDSM: Creating Our Tomorrow Land Use Plan and is approved, subject to final passage of an ordinance rezoning the Property as set forth herein.

MOVED BY Mandelbaum TO ADOPT.

FORM APPROVED: Judy K Parks-Kruse
Judy K. Parks-Kruse
Assistant City Attorney

(ZON2021-00048)

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

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.

MOTION CARRIED APPROVED
Signature of J. M. Franklin Cownie, Mayor

Signature of P. Kay Cmelik, City Clerk