



**Roll Call Number**

21-1686

**Agenda Item Number**

47

**Date** November 1, 2021

**RESOLUTION HOLDING HEARING ON REQUEST FROM DAVID GRIFFITH  
TO AMEND PLANDSM FUTURE LAND USE DESIGNATION AND TO  
REZONE PROPERTY LOCATED AT 1626 BUCHANAN STREET**

**WHEREAS**, on October 18, 2021, by Roll Call No. 21-1556, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on October 7, 2021, its members voted 10-0 in support of a motion to recommend **APPROVAL** of a request from David Griffith (owner) to amend the PlanDSM: Creating Our Tomorrow future land use designation for real property locally known as 1626 Buchanan Street (“Property”) from Business Park to Low Density Residential, to allow rezoning and use of the Property for construction of an one-household residential dwelling; and

**WHEREAS**, on October 18, 2021, by Roll Call No. 21-1556, the City Council received a communication from the City Plan and Zoning Commission further advising that at a public hearing held on October 7, 2021, its members voted 10-0 in support of a motion to recommend **APPROVAL** of a request from David Griffith (owner) to rezone the Property from EX Mixed Use District to NX1 Neighborhood Mix District for the above-stated purpose; and

**WHEREAS**, on October 18, 2021, by Roll Call No. 21-1556, it was duly resolved by the City Council that the request to amend the land use designation and to rezone the Property be set down for hearing on November 1, 2021, 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 proposed land use amendment and rezoning; 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 1626 Buchanan Street, legally described as:

East 110 Feet of LOT 4 of Block 53 of Stewards Addition, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa

from EX Mixed Use District to NX1 Neighborhood Mix District, to allow construction of an one-household residential dwelling; and

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

**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 land use amendment and the proposed rezoning of the Property to NX1 Neighborhood Mix District are hereby overruled, and the hearing is closed.
2. The proposed amendment to PlanDSM: Creating Our Tomorrow comprehensive plan, to amend the future land use classification for the Property from Business Park to Low Density Residential, is hereby approved.
3. The proposed rezoning of the Property, as legally described above, to NX1 Neighborhood Mix District, is hereby found to be in conformance with the PlanDSM: Creating Our Tomorrow Land Use Plan and is approved, subject to the above-stated conditions and final passage of an ordinance rezoning the Property as set forth herein.



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MOVED BY Boesen TO ADOPT.

FORM APPROVED:

/s/ Glenna K. Frank

Glenna K. Frank, Assistant City Attorney

(ZONG2021-000021)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				✓
BOESEN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			1

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.

Linda Westergaard

Mayor

P. Kay Cmelik

City Clerk

MAYOR PRO TEM