



Roll Call Number

22-1177

Agenda Item Number

53

Date July 18, 2022

RESOLUTION HOLDING PUBLIC HEARING REGARDING REQUEST FROM HUBBELL REALTY COMPANY (OWNER) REPRESENTED BY STEVE MOSELEY (OFFICER), FOR PROPERTY LOCATED IN THE VICINITY OF 800 MURPHY STREET, TO REZONE THE PROPERTY FROM “P1” PUBLIC, CIVIC, AND INSTITUTIONAL DISTRICT TO “DXR” DOWNTOWN DISTRICT, TO ALLOW DEVELOPMENT OF TOWNHOMES

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on June 16, 2022, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from Hubbell Realty Company (owner) represented by Steve Moseley (officer), for property located in the vicinity of 800 Murphy Street, to rezone the property from “P1” public, civic, and institutional district to “DXR” downtown district, to allow development of townhomes and determined the requested rezoning is in conformance with the PlanDSM: Creating Our Tomorrow Comprehensive Plan; and

WHEREAS, on June 27, 2022, by Roll Call No. 22-0997, it was duly resolved by the City Council that the request to rezone the Property be set down for hearing on July 18, 2022 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 located at 800 Murphy Street and legally described as follows:

LOT 1, RIVERPOINT PLAT NO. 2, AN OFFICIAL PLAT IN THE CITY OF DES MOINES,
POLK COUNTY, IOWA

From “P1” public, civic, and institutional district to “DXR” downtown district, to allow development of townhomes.

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 rezoning of the Property are hereby overruled, and the hearing is closed.



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2. The proposed rezoning of the Property, as legally described above, to “DXR” downtown district, is hereby found to be in conformance with the PlanDSM: Creating Our Tomorrow Land Use Plan and is approved, and final passage of an ordinance rezoning the Property as set forth herein.

MOVED BY Mandelbaum TO ADOPT.

SECOND BY Gatto.

FORM APPROVED:

/s/ Lisa A. Wieland

Lisa A. Wieland

Assistant City Attorney

(ZONG-2022-000051)

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

MOTION CARRIED

APPROVED

J. M. Franklin Cownie Mayor

CERTIFICATE

I, LAURA BAUMGARTNER, Acting 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

Acting City Clerk