



Roll Call Number

23-0440

Agenda Item Number

64

Date March 27, 2023

RESOLUTION HOLDING HEARING ON PROPOSED AMENDMENT TO PLANDSM FOR CERTAIN PROPERTY LOCATED WITHIN THE PROPOSED UPPER EAST VILLAGE URBAN RENEWAL AREA

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on February 16, 2023, its members voted 12-0 in support of a motion to recommend **APPROVAL** to amend the PlanDSM: Creating Our Tomorrow future land use designation from Public/Semi-Public to Downtown Mixed Use for a part of the proposed Upper East Village Urban Renewal Area, which area is bound by Pennsylvania Avenue on the west, Des Moines Street on the south, East 9th Street on the east, and the freeway (I-235) on the north; and

WHEREAS, the Property is legally described as follows:

Beginning at the intersection of the Southerly Right of Way line of Des Moines Street and the East Right of Way line of East 9th Street; Thence Southwesterly along said Southerly Right of Way line of Des Moines Street to the centerline of the Pennsylvania Avenue Right of Way; Thence North along said centerline of the Pennsylvania Avenue Right of Way to the Southwesterly extension of the North Right of Way line of the Alley in Block P of Griffiths' Addition No.2 to the Town of East Fort Des Moines, Polk County, Iowa, an Official Plat, Thence Northeasterly along said Southwesterly extension and along said North Right of Way of the Alley in said Block P to the Southwest corner of Lot 5 in said Block P; Thence Easterly along a straight line to the Northeast corner of the West 26.5 Feet of Lot 2 in Official Plat of Lots 15, 16, 17 & 18, Block P, Griffiths' Addition No.2, an Official Plat, said Northeast corner also being a corner of parcel deeded to the State of Iowa and Recorded in Book 8684 Pages 560-562 at the Recorder's Office of Polk County, Iowa; Thence Southerly along the Westerly line of said Parcel deeded to the State of Iowa to the Southerly line of said Parcel deeded to the State of Iowa; Thence Easterly along said Southerly line of said Parcel deeded to the State of Iowa to the West Right of Way line of East 9th Street; Thence East along a straight line to a point on the West line of Lot 1, Block 3, Stewart's Addition to the City of Des Moines, Polk County, Iowa, an Official Plat, said point being 32.18 Feet South along said West line of said Lot 1 from the Northwest corner of said Lot 1, said West line of said Lot 1 also being the East Right of Way of East 9th Street; Thence South along said East Right of Way line of East 9th Street to the Point of Beginning

; and

WHEREAS, notice of the public hearing on the proposed amendment to PlanDSM was published in the Des Moines Register as required by law, setting forth the information required by Section 403.5(3) of the Iowa Code.



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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 amendment to PlanDSM are hereby overruled, and the hearing is closed.
2. The proposed amendment to PlanDSM: Creating Our Tomorrow Plan to revise the future land use classification for the Property from Public/Semi-Public to Downtown Mixed Use is hereby approved.

(Council Communication No. 23- 159)

Moved by Mandelbaum to adopt. Second by Boesen

APPROVED AS TO FORM:

/s/ Gary D. Goudelock Jr.
Gary D. Goudelock Jr.
Assistant City Attorney

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|----------|------|------|----------|
| COWNIE | ✓ | | | |
| BOESEN | ✓ | | | |
| GATTO | ✓ | | | |
| MANDELBAUM | ✓ | | | |
| SHEUMAKER | | | | ✓ |
| VOSS | ✓ | | | |
| WESTERGAARD | ✓ | | | |
| TOTAL | <u>6</u> | | | <u>1</u> |
| MOTION CARRIED | APPROVED | | | |

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.

J. M. Frankel Mayor

Laura Baumgartner City Clerk