



Roll Call Number

23-1714

Agenda Item Number

31

Date December 4, 2023

RESOLUTION HOLDING PUBLIC HEARING REGARDING REQUEST FROM PROFESSOR HOLDINGS, LLC (OWNER), REPRESENTED BY HUA SUN (OFFICER) TO AMEND PLANDSM TO REVISE THE FUTURE LAND USE DESIGNATION AND TO REZONE THE PROPERTY LOCATED AT 1315 YORK STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on November 2, 2023, its members voted 13-0 in support of a motion to recommend **APPROVAL** of a request from Professor Holdings, LLC (Owner), represented by Hua Sun, for the proposed rezoning from “N3c” Residential District to “N3c-4” Residential District be found not in conformance with the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation of Low Density Residential within a Neighborhood Node; and

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on November 2, 2023, its members voted 13-0 in support of a motion to recommend **APPROVAL** of a request from Professor Holdings, LLC (Owner), represented by Hua Sun, for the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation for the subject property from Low Density Residential within a Neighborhood Node to Medium Density Residential within a Neighborhood Node; and

WHEREAS, the City Plan and Zoning Commission has further advised that at a public hearing held on November 2, 2023, its members voted 13-0 in support of a motion to recommend **APPROVAL** of a request from Professor Holdings, LLC (Owner), represented by Hua Sun, to rezone the Property from “N3c” Residential District to “N3c-4” Residential District to allow expansion of the existing off-street parking area; and

WHEREAS, the Property is legally described as follows:

LOT 395 IN POLK AND HUBBELL’S ADDITION TO CAPITAL PARK, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.; and

WHEREAS, on November 20, 2023, by Roll Call No. 23-1612, it was duly resolved by the City Council that the request for approval of the proposed amendment and rezoning be set down for hearing on December 4, 2023, 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 proposals; and

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



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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 and rezoning 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 Low Density Residential within a Neighborhood Node to Medium Density Residential within a Neighborhood Node is hereby approved.
3. The proposed rezoning of the Property, as legally described above, from "N3c" Residential District to "N3c-4" Residential District to allow expansion of the existing off-street parking area, is hereby approved, subject to final passage of an ordinance rezoning the Property as set forth herein.

MOVED BY Westergaard TO ADOPT. SECOND BY Gatto

FORM APPROVED:

/s/ Chas M. Cahill

Chas M. Cahill
Assistant City Attorney

(ZONG-2023-000060)(COMP-2023-000037)

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

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.

MOTION CARRIED APPROVED
Cornie Boesen Mayor PRO TEM

Laura Baumgartner City Clerk