



Roll Call Number

24-0063

Agenda Item Number

34

Date January 8, 2024

RESOLUTION HOLDING PUBLIC HEARING REGARDING REQUEST FROM CITY OF DES MOINES (OWNER), REPRESENTED BY ANN SOBIECH-MUNSON (CITY ARCHITECT) TO AMEND PLANDSM TO REVISE THE FUTURE LAND USE DESIGNATION AND TO REZONE MULTIPLE PARCELS LOCATED IN THE VICINITY OF 1907 CLARK STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on December 7, 2023, its members voted 8-1-1 in support of a motion to recommend **APPROVAL** of a request from City of Des Moines (Owner), represented by Ann Sobiech-Munson (City Architect), for the proposed rezoning of the subject parcels from “NX1” Neighborhood Mix District to “P2” Public, Civic, and Institutional District be found not in conformance with the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation of Low-Medium Density Residential; and

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on December 7, 2023, its members voted 8-1-1 in support of a motion to recommend **APPROVAL** of a request from City of Des Moines (Owner), represented by Ann Sobiech-Munson (City Architect), to amend the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation for the subject parcels from Low-Medium Density Residential to Public/Semi-Public; and

WHEREAS, the City Plan and Zoning Commission has further advised that at a public hearing held on December 7, 2023, its members voted 8-1-1 in support of a motion to recommend **APPROVAL** of a request from City of Des Moines (Owner), represented by Ann Sobiech-Munson (City Architect), to rezone the Property from “NX1” Neighborhood Mix District to “P2” Public, Civic, and Institutional District, to allow the construction of a new Fire Station (Des Moines Fire Department Station #4) building; and

WHEREAS, the Property is legally described as follows:

LOTS 9 THRU 16, OFFICIAL PLAT OF LOT 9 O.P. S 33-T79-R24, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

AND

ALL THAT PART OF THE VACATED 16.00 FOOT WIDE ALLEY LYING WEST OF AND ADJACENT TO LOTS 9 THRU 12, OFFICIAL PLAT OF LOT 9 O.P. S 33-T79-R24, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

EXCEPT PARCEL 2023-1 AS SHOWN ON PLAT OF SURVEY RECORDED IN BOOK 19415, PAGE 431



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AND EXCEPT THE SOUTH 5.00 FEET OF THE EAST 5.00 FEET OF SAID LOT 12 AS SHOWN ON WARRANTY DEED RECORDED IN BOOK 18022, PAGE 323

AND CONTAINING 59748 SQUARE FEET.; and

WHEREAS, on December 18, 2023, by Roll Call No. 23-1763, 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 January 8, 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.

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 multiple parcels from Low-Medium Density Residential to Public/Semi-Public is hereby approved.
3. The proposed rezoning of the multiple parcels, as legally described above, from "NX1" Neighborhood Mix District to "P2" Public, Civic, and Institutional District, to allow the construction of a new Fire Station (Des Moines Fire Department Station #4) building, is hereby approved, subject to final passage of an ordinance rezoning the Property as set forth herein.



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MOVED BY Coleman TO ADOPT.

SECOND BY Gatto

FORM APPROVED:

/s/ Chas M. Cahill
Chas M. Cahill
Assistant City Attorney

(ZONG-2023-000067)(COMP-2023-000040)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include BOESEN, VOSS, COLEMAN, WESTERGAARD, MANDELBAUM, GATTO, 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
Connie Boeser Mayor

Laura Baumgartner City Clerk