



**Date** June 28, 2021

**RESOLUTION DISMISSING HEARING ON REQUEST FROM IPE1031 REV353, LLC TO REZONE 505 SHERIDAN AVENUE**

**WHEREAS**, on June 14, 2021, by Roll Call No. 21-0863, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on June 3, 2021, its members voted 10-0 in support of a motion to recommend **DENIAL** of a request from IPE1031 REV353, LLC (owner), represented by Blake Pagliai (officer), to rezone real property locally known as 505 Sheridan Avenue (“Property”) from I1 Industrial District to I2 Industrial District to allow the current operation of the Property, which is under enforcement action by the City’s Zoning Enforcement Officer, which could be considered for conditional use approval by the Zoning Board of Adjustment for an outdoor storage yard for portable toilets as an Intensive Fabrication and Production use; and

**WHEREAS**, on June 14, 2021, by Roll Call No. 21-0863, it was duly resolved by the City Council that the request to rezone the Property be set down for hearing on June 28, 2021 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**, thereafter IPE1031 REV353, LLC requested to withdraw its application for the proposed rezoning of the Property.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Des Moines, Iowa, that the public hearing on the proposed rezoning of 505 Sheridan Avenue from I1 Industrial District to I2 Industrial District is hereby dismissed, and the matter of the proposed rezoning is withdrawn from City Council consideration.

FORM APPROVED:

MOVED BY \_\_\_\_\_ TO ADOPT.

/s/Glenna K. Frank  
Glenna K. Frank, Assistant City Attorney

(ZON2020-00050)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
<b>TOTAL</b>				
MOTION CARRIED			APPROVED	

**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.**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk