



Roll Call Number

19-1601

Agenda Item Number

28-I

Date October 14, 2019

RESOLUTION SETTING HEARING ON APPLICATION OF PHYLLIS WOODS TRUST FOR RELIEF FROM TEMPORARY MORATORIUM

WHEREAS, on September 9, 2019, by Roll Call No. 19-1445, the City Council approved a temporary moratorium providing that no application to rezone property to any zoning district other than Planned Unit Development (PUD) shall be accepted or processed by the City of Des Moines between September 9, 2019 and December 14, 2019, in order to avoid rezoning properties to zoning districts that would not exist as of the planned effective date of December 15, 2019, of the City's proposed Zoning Code, Design Code, and Citywide Zoning Map; and

WHEREAS, the Phyllis Woods Trust seeks to sell its real property locally known as 6015 Grand Avenue to Taylor Boesen for use as an events center, which use is not allowed in the current zoning designation of the property of "C-1" Neighborhood Retail Commercial District; and

WHEREAS, the Phyllis Woods Trust asserts that the City's refusal to allow it to proceed with the rezoning of the property for use as an events center is causing it undue hardship.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

- 1. That the attached communication from Todd Von Stein, DesignCo, submitted on behalf of the Phyllis Woods Trust, is hereby received and filed.
2. That the City Council shall consider the appeal by the Phyllis Woods Trust at a public hearing to be held at the Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on November 4, 2019.
3. That the City Clerk is hereby authorized and directed to cause notice of said proposal in the accompanying form to be given by publication once in accordance with Section 362.3 of the Iowa Code.

FORM APPROVED:

MOVED BY Gatto TO ADOPT.

Glenna K. Frank, Assistant City Attorney

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

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.

J. M. Franklin Cownie Mayor

Laura Baumgartner Acting City Clerk