



**Roll Call Number**

20-0468

**Agenda Item Number**

44

**Date** March 9, 2020

**RESOLUTION HOLDING HEARING ON REQUEST FROM CHRISTIAN PRINTERS, INC. TO AMEND THE EXISTING PLANDSM: CREATING OUR TOMORROW PLAN FUTURE LAND USE DESIGNATION AND REZONE PROPERTY LOCATED AT 1415 21<sup>ST</sup> STREET**

**WHEREAS**, on April 25, 2016, by Roll Call No. 16-0717, the City Council adopted the PlanDSM: Creating Our Tomorrow Plan; and

**WHEREAS**, on February 24, 2020, by Roll Call No. 20-0333, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on February 6, 2020, the City Plan and Zoning Commission voted 11-0 in support of a motion to recommend **APPROVAL** of a request by Christian Printers, Inc. (owner), represented by Bryan Goos (officer), to amend the existing PlanDSM: Creating Our Tomorrow Plan future land use designation for real property locally known as 1415 21<sup>st</sup> Street (“Property”) from Low Density Residential to Neighborhood Mixed Use, to allow for rezoning to Limited RX1 Mixed Use District; and

**WHEREAS**, the City Plan and Zoning Commission further has advised that at a public hearing held on February 6, 2020, its members voted 11-0 in support of a motion to recommend **APPROVAL** of a request from Christian Printers, Inc., to rezone the Property from N5 Neighborhood District to Limited RX1 Mixed Use District, to conform to the Commercial Service, Consumer Maintenance and Repair use (printing business) to the south and allow a potential expansion of the existing printing business or development for assembly use, subject to the following conditions:

1. Any use of the property shall be limited to the following:
  - a. Any use as allowed in the “N5” District Household Living;
  - b. “Commercial Service, Consumer Maintenance and Repair use (printing business)”;
  - c. “Assembly & Entertainment, Small”, if a Conditional Use for such is granted by the Zoning Board of Adjustment; or
  - d. “Assembly – Public, Civic and Institutional” if a Conditional Use for such is granted by the Zoning Board of Adjustment.
2. Any development shall comply with all applicable site plan requirements of the City, including but not limited to stormwater management, landscaping, and screening from adjoining residential properties, parking and paving requirements, traffic and transportation requirements, and grading requirements; and

**WHEREAS**, on February 24, 2020, by Roll Call No. 20-0333, it was duly resolved by the City Council that request to rezone the Property and for approval of the proposed comprehensive plan amendment, be set down for hearing on March 9, 2020 at 5:00 P.M., in the Council Chamber at City Hall; 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 amendment to the Zoning Ordinance and comprehensive plan; and



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WHEREAS, in accordance with said notice, those interested in said proposed comprehensive plan amendment and rezoning and, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council; and

WHEREAS, the Legal Department has prepared an amendment to the Zoning Ordinance of the City of Des Moines to rezone the Property locally known as 1415 21st Street, legally described as:

LOT 9 IN WILLIAMS ADDITION TO NORTH DES MOINES, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA

from N5 Neighborhood District to Limited RX1 Mixed Use District, to conform to the Commercial Service, Consumer Maintenance and Repair use (printing business) to the south and allow a potential expansion of the existing printing business or development for assembly use, subject to the conditions set forth above.

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 the PlanDSM: Creating Our Tomorrow Plan future land use designation for 1415 21st Street or the proposed rezoning of the Property to Limited RX1 Mixed Use District, with conditions as set forth above, are hereby overruled, and the hearing is closed.
2. The proposed amendment to the PlanDSM: Creating Our Tomorrow Plan for the property locally known as 1415 21st Street to Neighborhood Mixed Use is hereby approved.
3. The proposed rezoning of the Property, as legally described above, to Limited RX1 Mixed Use District, is hereby found to be in conformance with the PlanDSM: Creating Our Tomorrow Land Use Plan and is approved, subject to conditions set forth above and subject to final passage of an ordinance rezoning the Property as set forth herein.

MOVED BY Gray TO ADOPT.

FORM APPROVED:

Glenna K. Frank, Assistant City Attorney

(21-2020-4.02) (ZON2020-00006)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, GRAY, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL (7).

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.

J. M. Frankin Cownie Mayor

P. Kay Cmelik City Clerk