



Roll Call Number

20-0945

Agenda Item Number

60

Date June 8, 2020

RESOLUTION HOLDING HEARING ON REQUEST FROM DES MOINES AREA RELIGIOUS COUNCIL TO AMEND PLANDSM FUTURE LAND USE DESIGNATION AND TO REZONE PROPERTY LOCATED AT 100 ARMY POST ROAD

WHEREAS, on May 18, 2020, by Roll Call No. 20-0820, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on May 7, 2020, its members voted 11-0 in support of a motion to recommend **APPROVAL** of a request from Des Moines Area Religious Council (DMARC)(purchaser), represented by Matt Unger (officer), to amend the PlanDSM: Creating Our Tomorrow future land use designation for real property locally known as 100 Army Post Road (“Property”) from Community Mixed Use to Business Park to allow rezoning to EX Mixed-Use District and relocation of the DMARC headquarters and food bank distribution operation into one location with offices, warehousing and distribution within the existing building; and

WHEREAS, the City Plan and Zoning Commission has further advised that at a public hearing held on May 7, 2020, its members voted 11-0 in support of a motion to recommend **APPROVAL** of a request from DMARC to rezone the Property from MX2 Mixed-Use District to EX Mixed-Use District for the above-described purpose; and

WHEREAS, on May 18, 2020, by Roll Call No. 20-0820, it was duly resolved by the City Council that the request to rezone the Property be set down for hearing on June 8, 2020 at 5:00 P.M., by electronic means in accordance with the Governor’s and Mayor’s Proclamations and to encourage and maintain social distancing to curb the spread of COVID19 in the community, with or without public access to the meeting location; 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, in accordance with said notice, those interested in said proposed rezoning, 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 3220 Dixon Street, legally described as:

PARCEL “B” OF THE PLAT OF SURVEY FILED IN THE OFFICE OF THE RECORDER OF POLK COUNTY, IOWA ON JANUARY 13, 2005, AND RECORDED IN BOOK 10901 PAGE 904, BEING A PART OF LOTS 3 AND 4 IN CHAFFEE-DICKMAN PLAT NO. ONE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA



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from MX2 Mixed-Use District to EX Mixed-Use District, to allow for relocation of the DMARC headquarters and food bank distribution operation into one location with offices, warehousing and distribution within the existing building.

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 future land use designation or rezoning of the Property to EX Mixed-Use District 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 100 Army Post Road to Business Park is hereby approved.
3. The proposed rezoning of the Property, as legally described above, to EX Mixed-Use District, is hereby found to be in conformance with the PlanDSM: Creating Our Tomorrow Land Use Plan and is approved, subject to final passage of an ordinance rezoning the Property as set forth herein.

MOVED BY Gatto TO ADOPT.

FORM APPROVED:

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

(21-2020-4.08)
(ZON2020-00042)

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

MOTION CARRIED APPROVED
J.M. Franklin Cownie Mayor

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.

P. Kay Cmelik City Clerk