



20-1212

18

Date August 3, 2020

RESOLUTION SETTING HEARING ON REQUEST FROM SPOT FREE CAR WASH, LLC, TO AMEND PLANDSM FUTURE LAND USE DESIGNATION AND TO REZONE PROPERTY LOCATED AT 1437 EAST 14TH STREET AND 1518 IDAHO STREET AND TO REZONE PROPERTY LOCATED AT 1421, 1427, AND 1433 EAST 14TH STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on July 16, 2020, its members voted 13-0 in support of a motion to recommend **APPROVAL** of a request from Spot Free Car Wash, LLC (owner), represented by Allen Hansen (officer), to amend the PlanDSM: Creating Our Tomorrow future land use designation for real property locally known as 1437 East 14th Street and 1518 Idaho Street from Neighborhood Mixed Use and Low-Medium Density Residential to Community Mixed Use and Neighborhood Mixed Use to allow rezoning to Limited MX3 Mixed Use District and continuation of the existing car wash as a use permitted by right; and

WHEREAS, the City Plan and Zoning Commission has further advised that at a public hearing held on July 16, 2020, its members voted 13-0 in support of a motion to recommend **APPROVAL** of a request from Spot Free Car Wash, LLC to rezone the Property at 1437 East 14th Street and 1518 Idaho Street from “N3c” Neighborhood District and “RX-1” Mixed Use District to Limited “MX3-V” Mixed Use District to allow continuation of the existing car wash defined as a Vehicle Sales and Service, Vehicle Maintenance/Repair, Minor, as a use permitted by right, and to rezone 1421, 1427, and 1433 East 14th Street from “NX1” Neighborhood Mix District to “RX1” Mixed Use District, to allow reuse and/or redevelopment of the property for Mixed Use, subject to the following conditions:

- (1) Allowing a Vehicle Sales and Service, Vehicle Maintenance/Repair, Minor use limited to personal vehicle washing only with either self-service or automatic equipment within the “MX3-V” Mixed Use District Portion; and
- (2) All other uses permitted by right or by Conditional Use in the “MX3-V” Mixed Use District shall only be those uses allowed in common with and as limited in the “RX1” Mixed Use District;

and

WHEREAS, the Property is legally described as follows:

A. PROPERTY TO BE REZONED LIMITED MX3-V (1437 EAST14TH STREET, 1518 IDAHO STREET AND VACATED ALLEY).

PARCEL 2017-22 AND PARCEL 2017-23 OF LOTS 224 AND 235 AND OF VACATED NORTH/SOUTH ALLEY BETWEEN SAID LOTS AND OF ABANDONED CHICAGO & NORTHWESTERN RAILWAY RIGHT-OF-WAY NORTH OF LOT 235 AND OF SAID VACATED ALLEY, ALL IN ASHBROOK, AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AS SHOWN IN A PLAT OF SURVEY RECORDED IN BOOK 16415, PAGE 458 IN THE OFFICE OF THE RECORDER OF POLK COUNTY, IOWA.

THE VACATED SOUTH 20 FEET OF 235, ASHBROOK, AN OFFICIAL PLAT, AND THE VACATED NORTH-SOUTH ALLEY LYING EAST OF AND ADJOINING THE VACATED SOUTH



Roll Call Number

20-12/2

Agenda Item Number

18

Date August 3, 2020

20 FEET OF SAID LOT 235, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND CONTAINING APPROXIMATELY 3,568 SQUARE FEET.

B. PROPERTY TO BE REZONED TO RX1 (1433, 1427, AND 1421 EAST 14TH STREET)

LOTS 236, 237, 238, AND 239 IN ASHBROOK, AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

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

- 1. That the attached communication from the Plan and Zoning Commission is hereby received and filed.
2. That the meeting of the City Council at which the proposed amendment to the comprehensive plan future land use designation and proposed zoning are to be considered, and at which time the City Council will hear both those who oppose and those who favor the proposals, shall be held at 5:00 p.m. on August 17, 2020, by electronic means in accordance with the Governor's and Mayor's Proclamations, the City Manager's Determination of July 24, 2020, to encourage and maintain social distancing to curb the spread of COVID19 in the community, with or without public access to the meeting location.
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, not less than seven (7) days and not more than twenty (20) days before the date of hearing, all as specified in Section 362.3 and Section 414.4 of the Iowa Code. The City Clerk is instructed to provide this notice including information about participation in the electronic meeting as indicated above.

MOVED BY Gatto TO ADOPT.

FORM APPROVED:

Judy K. Parks-Kruse
Judy K. Parks-Kruse, Assistant City Attorney

(21-2020-4.12)
(ZON2020-00073)

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

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. Franckh Cownie Mayor

P. Kay Cmelik City Clerk