



Roll Call Number

20-1562

Agenda Item Number

17

Date October 5, 2020

RESOLUTION SETTING HEARING ON REQUEST FROM MUNDO PEQUENITO, LLC (OWNER) TO AMEND PLANDSM FUTURE LAND USE DESIGNATION AND TO REZONE PROPERTY LOCATED AT 1922 SOUTHWEST 1ST STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on September 17, 2020, its members voted 11-0 in support of a motion to recommend APPROVAL of a request from Mundo Pequenito, LLC (Owner), represented by Guadalupe Castillo (officer), to amend the PlanDSM: Creating Our Tomorrow future land use designation for real property locally known as 1922 Southwest 1st Street ("Property") from Mixed Density Residential to Community Mixed Use to allow rezoning to "RX1" Mixed Use District to allow expansion of the existing non-conforming Day Care use; and

WHEREAS, the City Plan and Zoning Commission has further advised that at a public hearing held on September 17, 2020, its members voted 11-0 in support of a motion to recommend APPROVAL of a request from Mundo Pequenito, LLC (Owner), represented by Guadalupe Castillo (officer), to rezone the Property from "NX2" Neighborhood Mix District to "RX1" Mixed Use District for the above-stated purpose; and

WHEREAS, the Property is legally described as follows:

THE WEST 82 FEET OF THE EAST 148 FEET OF LOT 13 OF THE OFFICIAL PLAT OF THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 78 NORTH, RANGE 24; ALSO THE NORTH 1/2 OF THE ABANDONED RIGHT-OF-WAY OF DES MOINES, INDIANOLA & MISSOURI RAILROAD COMPANY, LYING SOUTH OF AND ABUTTING SAID 82 FEET ABOVE DESCRIBED;

AND

AN UNNUMBERED TRIANGLE PIECE APPROXIMATELY 2,640 SQUARE FEET, WEST OF AND ADJACENT TO SOUTHWEST 1ST STREET AND NORTH OF AND ADJACENT TO INDIANOLA AVENUE, OFFICIAL PLAT OF THE SOUTHEAST 1/4, SECTION 9, TOWNSHIP 78 NORTH, RANGE 24, 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



Roll Call Number

20-1562

Agenda Item Number

17

Date

October 5, 2020

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 October 19, 2020, by electronic means to encourage and maintain social distancing to curb the spread of COVID19 in the community, 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

(21-2020-4.18)
(ZON2020-00099)

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

P. Kay Cmelik City Clerk