

★ Roll Call Number

21-0614

Agenda Item Number

16

Date April 19, 2021

RESOLUTION SETTING HEARING ON REQUEST FROM FAREWAY STORES, INC. TO AMEND PLANDSM FUTURE LAND USE CLASSIFICATION AND TO REZONE 2723 41ST PLACE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on April 1, 2021, its members voted 11-2 in support of a motion to recommend DENIAL of a request from Fareway Stores, Inc. (purchaser), represented by Matt Heath (officer), to amend the PlanDSM: Creating Our Tomorrow comprehensive plan future land use classification for real property locally known as 2723 41st Place ("Property") from Low Density Residential within a Neighborhood Node to Community Mixed-Use within a Neighborhood Node, and to rezone the Property from N4 Neighborhood District to Limited MX3 Mixed-Use District, to accommodate an ingress/egress drive from 41st Place to route traffic from Urbandale Avenue to the adjoining lot, at 2716 Beaver Avenue, being redeveloped for a Limited Retail Sales use including a new 7,759-square foot retail store with a specialty meat counter and other neighborhood grocery needs; and

WHEREAS, the Property is legally described as follows:

LOT B OF GRASSMERE NO. 2, 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 future land use classification and the proposed rezoning 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 May 10, 2021, 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 proposals 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.

FORM APPROVED:

MOVED BY Gatto TO ADOPT.

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

(21-2021-4.08)
(ZON2021-00118)

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

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.

MOTION CARRIED APPROVED

J. M. Frankin Cownie Mayor

[Signature of P. Kay Cmelik]

City Clerk