



Roll Call Number

21-0863

Agenda Item Number

33

Date June 14, 2021

RESOLUTION SETTING HEARING ON REQUEST FROM IPE1031 REV353, LLC TO REZONE 505 SHERIDAN AVENUE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on June 3, 2021, its members voted 10-0 in support of a motion to recommend DENIAL of a request from IPE1031 REV353, LLC (owner), represented by Blake Pagliai (officer), to rezone real property locally known as 505 Sheridan Avenue ("Property") from I1 Industrial District to I2 Industrial District to allow the current operation of the Property, which is under enforcement action by the City's Zoning Enforcement Officer, to be considered for conditional use approval by the Zoning Board of Adjustment for an outdoor storage yard for portable toilets as an Intensive Fabrication and Production use; and

WHEREAS, the Property is legally described as follows:

PARCEL "B" OF THE PLAT OF SURVEY FILED IN THE OFFICE OF THE RECORDER OF POLK COUNTY, IOWA ON MARCH 2, 1995, AND RECORDED IN BOOK 7160 PAGE 993, BEING A PART OF LOT 1 CARBON COAL COMPANY'S LAND, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

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 rezoning is to be considered shall be held at the Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on June 28, 2021, at which time the City Council will hear both those who oppose and those who favor the proposal.
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.

FORM APPROVED:

MOVED BY Gatto TO ADOPT.

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

(ZON2021-00050)

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

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, Mayor

P. Kay Cmelik, City Clerk