



Roll Call Number

21-1046

Agenda Item Number

67

Date June 28, 2021

**RESOLUTION HOLDING HEARING ON CITY-INITIATED REQUEST TO REZONE
PROPERTY LOCATED AT 2014 AND 2016 EAST OVID AVENUE**

WHEREAS, on June 14, 2021, by Roll Call No. 21-0862, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on June 3, 2021, its members voted 10-0 in support of a motion to recommend **APPROVAL** of a City-initiated request to rezone the real property locally known as 2014 and 2016 East Ovid Avenue (collectively “Property”) from P1 Public, Civic and Institutional District to I1 Industrial District, to allow the existing buildings to continue as conforming Professional Office, Warehouse, and Vehicle Maintenance/Repair uses; and

WHEREAS, on June 14, 2021, by Roll Call No. 21-0862, it was duly resolved by the City Council that the request to rezone the Property be set down for hearing on June 28, 2021 at 5:00 P.M., in the Council Chambers; 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 2014 and 2016 East Ovid Avenue, legally described as:

-EXCEPT THAT PART LYING WITHIN THE 100 YEAR FLOODPLAIN-, THE SOUTH 223.4 FEET OF THE EAST 200 FEET OF LOT 12, -EXCEPT THE SOUTH 100 FEET OF THE EAST 60 FEET OF SAID LOT 12-, IN OVID HEIGHTS, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND CONTAINING APPROXIMATELY 0.57 ACRES (29,947 SQUARE FEET)

from P1 Public, Civic and Institutional District to I1 Industrial District, to allow the existing buildings to continue as conforming Professional Office, Warehouse, and Vehicle Maintenance/Repair uses.

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 rezoning of the Property to I1 Industrial District are hereby overruled, and the hearing is closed.



Roll Call Number

21-1046

Agenda Item Number

67

Date June 28, 2021

- 2. The proposed rezoning of the Property, as legally described above, to I1 Industrial 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 Westergaard TO ADOPT.

FORM APPROVED:

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

(ZON2021-00060)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED APPROVED
J. M. Franke 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