



Roll Call Number

21-1600

Agenda Item Number

51

Date October 18, 2021

**RESOLUTION HOLDING HEARING ON REQUEST FROM NMDP HOLDINGS, LLC
TO AMEND PLANDSM FUTURE LAND USE DESIGNATION AND TO REZONE
PROPERTY LOCATED AT 3312 EAST GRANGER AVENUE**

WHEREAS, on October 4, 2021, by Roll Call No. 21-1474, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on September 16, 2021, its members voted 13-0 in support of a motion to recommend **APPROVAL** of a request from NMPD Holdings LLC (Owner), represented by Adam Petersen (Officer), to amend the PlanDSM: Creating Our Tomorrow future land use designation for real property generally located at 3312 East Granger Avenue (“Property”) from Business Park to Industrial to allow rezoning to ‘I2’ Industrial District to allow an expansion of existing operations; and

WHEREAS, the City Plan and Zoning Commission has further advised that at a public hearing held on September 16, 2021, its members voted 13-0 in support of a motion to recommend **APPROVAL** of a request from NMPD Holdings LLC (Owner), represented by Adam Petersen (Officer), to rezone the Property from ‘EX’ Mixed Use District to ‘I2’ Industrial District for the above-stated purpose; and

WHEREAS, on October 4, 2021, by Roll Call No. 21-1474, it was duly resolved by the City Council that the request to amend PlanDSM and to rezone the Property be set down for hearing on October 18, 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 amendment to PlanDSM and proposed rezoning; and

WHEREAS, in accordance with said notice, those interested in said proposed amendment to PlanDSM and 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 3312 East Granger Avenue, legally described as:

The East 522.0 feet, Lot Three (3) of the OFFICIAL PLAT OF THE SOUTHWEST FRACTIONAL QUARTER (SW FRL ¼) OF SECTION 7, TOWNSHIP 78, RANGE 23 West of the 5th P.M., now included in and forming a part of the City of Des Moines, Polk County, Iowa;

AND



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Lot Four (4) in the OFFICIAL PLAT OF THE SOUTHWEST FRACTIONAL QUARTER (SW FRL ¼) OF SECTION 7, TOWNSHIP 78, RANGE 23 West of the 5th P.M., now included in and forming a part of the City of Des Moines, Polk County, Iowa.

from 'EX' Mixed Use District to 'I2' Industrial District.

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 amendment to PlanDSM and proposed rezoning of the Property to 'I2' Industrial District are hereby overruled, and the hearing is closed.
2. The proposed amendment to PlanDSM: Creating Our Tomorrow Plan to revise the future land use classification for the Property from Business Park to Industrial is hereby approved.
3. The proposed rezoning of the Property, as legally described above, to 'I2' 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 Gatto TO ADOPT

APPROVED AS TO FORM:

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

(ZONG-2021-000011)
 (ZONG2021-000012)

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

J. M. Parkin 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