



Roll Call Number

21-1822

Agenda Item Number

33

Date December 6, 2021

RESOLUTION SETTING HEARING ON REQUEST FROM CFD PROPERTIES, LLC TO AMEND PLANDSM FUTURE LAND USE DESIGNATION AND TO REZONE PROPERTY LOCATED AT 2300 EAST 14<sup>ST</sup> STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on November 18, 2021, its members voted 11-0 in support of a motion to recommend DENIAL of a request from CFD Properties, LLC (owner), represented by Cui Dong Davis (officer) to amend the PlanDSM: Creating Our Tomorrow future land use designation for real property located at 2300 East 14<sup>st</sup> Street ("Property") from Neighborhood Mixed Use and Low-Medium Density to Industrial, to allow a use that includes outdoor storage; and

WHEREAS, the City Plan and Zoning Commission has further advised that at a public hearing held on November 18, 2021, its members voted 11-0 in support of a motion to recommend DENIAL of a request from CFD Properties, LLC (owner), represented by Cui Dong Davis (officer) to rezone the Property from 'MX1' Mixed Use District to 'I1' Industrial District for the above-stated purpose; and

WHEREAS, the Property is legally described as follows:

LOTS 1, 2, 3, 4, 5, AND 6 IN BLOCK 5 IN ARLINGTON HEIGHTS, AN OFFICIAL PLAT, EXCEPT THAT PART DESCRIBED AS: BEGINNING A THE SOUTHEAST CORNER OF SAID LOT 6; THENCE NORTH 80°48'42" WEST ALONG THE SOUTH LINE OF SAID LOT 6, A DISTANCE OF 7.41 FEET; THENCE NORTH 2°38'39" EAST, 50.12 FEET; THENCE SOUTH 89°47'00" EAST ALONG THE NORTH LINE OF SAID LOT 6, A DISTANCE OF 5.40 FEET; THENCE SOUTH 0°21'03" WEST ALONG THE EAST LINE OF SAID LOT 6, A DISTANCE OF 50.07 FEET TO THE POINT OF BEGINNING, ALL 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 plan future land use designation and 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 City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on December 20, 2021.
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.

MOVED BY Gatto TO ADOPT.



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FORM APPROVED:

Judy K Parks-Kruse

Judy K. Parks-Kruse, Assistant City Attorney

(ZONG2021-000036)

(ZONG2021-000037)

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

MOTION CARRIED

APPROVED

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.

A. J. Frankha Cowrie

Mayor

P. Kay Cmelik

City Clerk