



Roll Call Number

22-0260

Agenda Item Number

38

Date February 21, 2022

RESOLUTION HOLDING HEARING ON REQUEST FROM CHRISTENSEN DEVELOPMENT, LLC, TO AMEND PLANDSM FUTURE LAND USE DESIGNATION AND TO REZONE PROPERTY LOCATED AT 600 EAST 14TH STREET

WHEREAS, on February 7, 2022, by Roll Call No. 22-0173, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on January 20, 2022, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from Christensen Development, LLC (Owner), represented by Jake Christensen (Officer) to amend the PlanDSM: Creating Our Tomorrow future land use designation for real property located at 600 East 14th Street (“Property”) from Public/Semi-Public to Community Mixed Use to allow rezoning to ‘MX3’ Mixed Use District to allow development of a convenience store with fueling stations; and

WHEREAS, the City Plan and Zoning Commission has further advised that at a public hearing held on January 20, 2022, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from Christensen Development, LLC (Owner), represented by Jake Christensen (Officer) to to rezone the Property from ‘P2’ Public, Civic and Institutional District to ‘MX3’ Mixed Use District for the above-stated purpose; and

WHEREAS, on February 7, 2022, by Roll Call No. 22-0173, 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 February 21, 2022 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 600 East 14th Street, legally described as:

PARCEL "B" OF CORRECTED PLAT OF SURVEY RECORDED IN BOOK 14839 PAGE 990 BEING A PART OF LOTS 12, 13, 14, 15, 16, AND 17 AND THE EAST-WEST VACATED ALLEY ALL IN BLOCK 25 IN STEWART'S ADDITION, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

from ‘P2’ Public, Civic and Institutional Use to ‘MX3’ Mixed Use 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 ‘MX3’ Mixed Use District are hereby overruled, and the hearing is closed.



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2. The proposed amendment to PlanDSM: Creating Our Tomorrow Plan to revise the future land use classification for the Property from Public/Semi-Public to Community Mixed Use is hereby approved.

3. The proposed rezoning of the Property, as legally described above, to 'MX3' Mixed Use 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- SECOND BY Voss

APPROVED AS TO FORM:

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

(ZONG2021-000057)
(ZONG2021-000056)

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

MOTION CARRIED APPROVED

J. M. Franklin 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