



Roll Call Number

22-0419

Agenda Item Number

31

Date March 21, 2022

**RESOLUTION SETTING HEARING ON REQUEST FROM HOLT SALES AND SERVICES, LLC
TO AMEND PLANDSM FUTURE LAND USE DESIGNATION AND
TO REZONE PROPERTY LOCATED AT 2500 DEAN AVENUE**

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on March 3, 2022, its members voted 11-1-1 in support of a motion to recommend **APPROVAL** of a request from Holt Sales and Services, LLC (owner), represented by Josh Holt (officer), to amend the PlanDSM: Creating Our Tomorrow future land use designation for real property locally known as 2500 Dean Avenue (“Property”) from Low Density Residential to Community Mixed Use to allow rezoning to RX2 Mixed Use District and construction of a non-accessory surface parking lot, subject to obtaining a Conditional Use approval from the Zoning Board of Adjustment; and

WHEREAS, the City Plan and Zoning Commission has further advised that at a public hearing held on March 3, 2022, its members voted 11-1-1 in support of a motion to recommend **APPROVAL** of a request from Holt Sales and Services, LLC (owner), represented by Josh Holt (officer), to rezone the Property from N3c-4 Neighborhood District to Limited RX2 Mixed Use District for the above-stated purpose, subject to the following conditions:

1. Use of the Property shall be limited to either Household Living use or a Non-Accessory Surface Parking Lot use in accordance with a Conditional Use approval by the Zoning Board of Adjustment.
2. Any Non-Accessory Surface Parking Lot use constructed on the Property shall be for customer and employee parking only. Any use of the Property for commercial vehicle parking, loading or unloading, or storage of materials shall be prohibited.
3. Any Non-Accessory Surface Parking Lot use shall provide a heavy side and rear landscape buffer, in accordance with Des Moines Municipal Code Chapter 135, Article 7, along its north and east perimeters.
4. Any development on the Property shall be in accordance with a Site Plan approved pursuant to all applicable standards of Des Moines Municipal Code Chapter 135; and

WHEREAS, the Property is legally described as follows:

THE SOUTH 100 FEET OF LOTS 97 AND 99 IN BLOCK 12 IN GRANT PARK, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA, SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

AND

LOTS 97 AND 99, BLOCK 12, GRANT PARK, EXCEPT THE SOUTH 100 FEET OF EACH LOT, AND LOTS 101, 103, 105 AND THE WEST ONE-HALF (W 1/2) LOT 107, BLOCK 12, GRANT PARK, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS 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 amendment to PlanDSM future land use designation and rezoning of the Property 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



Roll Call Number

22-049

Agenda Item Number

31

Date March 21, 2022

Drive, Des Moines, Iowa, at 5:00 p.m. on April 4, 2022.

- 3. That the City Clerk is hereby authorized and directed to cause notice of said proposal 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 Boesen TO ADOPT.

Second by Gatto.

FORM APPROVED:

/s/Glenka K. Frank

Glenna K. Frank
Assistant City Attorney

(ZONG-2022-000006; ZONG-2022-000011)

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

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.

MOTION CARRIED

APPROVED

J. M. Franklin Cownie
Mayor

P. Kay Cmelik

City Clerk