

Date June 13, 2022

RESOLUTION SETTING PUBLIC HEARING REGARDING REQUEST FROM EXODUS GROUP INVESTMENT, LLC (OWNER) REPRESENTED BY JERET KOENIG (OFFICER), FOR THE FOLLOWING REGARDING PROPERTY LOCATED IN THE VICINITY OF 1717 EAST ARMY POST ROAD, 1825 EAST ARMY POST ROAD, AND 1895 EAST ARMY POST ROAD, TO AMEND PLANDSM CREATING OUR TOMORROW PLAN TO REVISE THE FUTURE LAND USE CLASSIFICATION FROM BUSINESS PARK AND MEDIUM DENSITY RESIDENTIAL TO INDUSTRIAL USE, AND TO REZONE THE PROPERTY FROM “EX” MIXED USE DISTRICT TO “I1” INDUSTRIAL DISTRICT TO ALLOW THE USE OF THE PROPERTY FOR USES SUCH AS WAREHOUSE, WHOLESALE SALES AND DISTRIBUTION, EQUIPMENT AND MATERIAL STORAGE - OUTDOOR, AND FABRICATION PRODUCTION - GENERAL

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on June 2, 2022, its members voted 10-0 in support of a motion to recommend **APPROVAL** of a request from Exodus Group Investments, LLC (owner), represented by Jeret Koenig (officer), for the proposed rezoning from “EX” mixed use District to “I1” District be found not in conformance with the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation of Business Park; and

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on June 2, 2022, its members voted 10-0 in support of a motion to recommend **APPROVAL** of a request from Exodus Group Investments, LLC (owner), represented by Jeret Koenig (officer), for the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation for the subject property from Business Park and Medium Density Residential to Industrial; and

WHEREAS, the City Plan and Zoning Commission has further advised that at a public hearing held on June 2, 2022, its members voted 10-0 in support of a motion to recommend **APPROVAL** of a request from Exodus Group Investments, LLC (owner), represented by Jeret Koenig (officer), to rezone the Property from “EX” Mixed Use District to “I1” Industrial District, to allow the use of the property for uses such as Warehouse, Wholesale Sales and Distribution, Equipment and Material Storage – Outdoor, and Fabrication and Production – General, subject to provision of the following setbacks for any primary or accessory building:

1. All outdoor storage within the site shall comply with Des Moines Municipal Code Section 135-8.2.2; and
2. Any use on the subject site shall be in accordance with an approved site plan; and

WHEREAS, the Property is legally described as follows:

The Northeast 1/4 of the Northwest 1/4 of Section 35, Township 78 North, Range 24 West of the 5th P.M., Polk County, Iowa.



Roll Call Number

22-0878

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AND

The West 1/2 of the Northwest 1/4 of the Northwest 1/4 of the Northeast 1/4 and the West 1/2 of the Southwest 1/4 of the Northwest 1/4 of the Northeast 1/4 of Section 35, Township 78 North, Range 24 West of the 5th P.M., Polk County, Iowa.

AND

The East 1/2 of the West 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 35, Township 78 North, Range 24 West of the 5th P.M., 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 amendments to PlanDSM Creating Our Tomorrow comprehensive Plan 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 June 27, 2022, at which time the City Council will hear both those who oppose and those who favor the proposals.
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.

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MOVED BY Gatto TO ADOPT. SECOND BY Voss

FORM APPROVED:

/s/ Lisa A. Wieland
 Lisa A. Wieland
 Assistant City Attorney

(ZONG-2022-000047; ZONG-2022-000045)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
SHEUMAKER				✓
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			1
MOTION CARRIED	APPROVED			

J. M. Franklin Cowie
 Mayor

CERTIFICATE

I, LAURA BAUMGARTNER, Acting 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.

Laura Baumgartner
 Acting City Clerk