



Roll Call Number

22-0881

Agenda Item Number

32

Date June 13, 2022

RESOLUTION SETTING HEARING ON REQUEST FROM JAIME VILLAFANA (OWNER) REGARDING PROPERTY LOCATED AT 3732 EASTON BOULEVARD TO AMEND PLANDSM TO REVISE THE FUTURE LAND USE DESIGNATION FROM PARKS AND OPEN SPACE TO COMMUNITY MIXED USE AND TO REZONE THE PROPERTY FROM "F" FLOOD DISTRICT AND "MX1" MIXED-USE DISTRICT TO "MX3" MIXED-USE DISTRICT

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on May 19, 2022, its members voted 12-0 in support of a motion to recommend **DENIAL** of a request from Jaime Villafana (Owner), to amend the PlanDSM: Creating Our Tomorrow future land use designation for the Property located at 3732 Easton Boulevard from Parks and Open Space to Community Mixed Use; and

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on May 19, 2022, its members voted 12-0 in support of a motion to recommend **DENIAL** of a request from Jaime Villafana (Owner), to rezone the Property from "F" Flood District and "MX1" Mixed-Use District, to "MX3" Mixed Use District, to allow use of the existing building as an Industrial Service Light or Office Use; and

WHEREAS, the Property is legally described as follows:

LOTS 736, 737, AND 738 IN FOUR MILE, AN OFFICIAL PLAT, 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 is to be considered, and at which time the City Council will hear both those who oppose and those who favor the proposal, shall be held at 5:00 p.m. on June 27, 2022 in the Council Chambers, City Hall, 400 Robert D. Ray, Drive, Des Moines.
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

APPROVED AS TO FORM:

/s/ Gary D. Goudelock Jr.
Gary D. Goudelock Jr.
Assistant City Attorney

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE | ✓ | | | |
| BOESEN | ✓ | | | |
| GATTO | ✓ | | | |
| MANDELBAUM | ✓ | | | |
| SHUEMAKER | | | | ✓ |
| VOSS | ✓ | | | |
| WESTERGAARD | ✓ | | | |
| TOTAL | 6 | | | 1 |

MOTION CARRIED

APPROVED

J. M. Franklin Cowrie 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