

Date November 7, 2022

RESOLUTION SETTING HEARING ON REQUEST FROM ILEX GROUP, INC. (OWNER), REPRESENTED BY BEN SCHULTES (OFFICER) FOR PROPERTY LOCATED IN THE VICINITY OF 4600 EAST 14TH STREET, TO AMEND PLANDSM TO ASSIGN THE INDUSTRIAL WITHIN A COMMUNITY NODE FUTURE LAND USE DESIGNATION AND TO REZONE THE PROPERTY FROM “A” AGRICULTURE DISTRICT TO “I1” INDUSTRIAL DISTRICT, TO ALLOW DEVELOPMENT OF AN INDUSTRIAL USE IN COORDINATION WITH THE PROPERTY ADJACENT TO THE WEST

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on October 20, 2022, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from ILEX Group, Inc. (owner), represented by Ben Schultes (officer), to determine the requested rezoning is not in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan, to amend the PlanDSM: Creating Our Tomorrow to assign the Industrial within a community node future land use designation for Property in the vicinity of 4600 East 14th Street, and to rezone the Property from “A” Agriculture District to “I1” Industrial District to allow development of an industrial use in coordination with the property adjacent to the west, and:

WHEREAS, the Property is legally described as follows:

THE WEST 125.71 FEET OF THE EAST 241.71 FEET OF THE NORTH 191.71 FEET OF THE SOUTH 241.71 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 14, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5TH P.M., POLK COUNTY, IOWA,
AND
THE WEST 41 FEET OF THE EAST 116 FEET OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 14, EXCEPT THE SOUTH 241.71 FEET THEREOF, TOWNSHIP 79 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 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 November 21, 2022, in the Council Chambers, City Hall, 400 Robert D. Ray, Drive, Des Moines.

★ **Roll Call Number**

..... 22-1727

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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 Gatto TO ADOPT. SECOND BY Boesen

FORM APPROVED:

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

(ZONG-2022-000019 & ZONG-2022-000020)

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

MOTION CARRIED

APPROVED

CERTIFICATE

I, LAURA BAUMGARTNER, 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

City Clerk

MAYOR PRO TEM