



Roll Call Number

.....22-1730.....

Agenda Item Number

.....22.....

DateNovember 7, 2022.....

RESOLUTION SETTING HEARING ON REQUEST FROM SHELDON RONEY (OWNER) FOR PROPERTY LOCATED AT 1626 EAST PARK AVENUE TO AMEND PLANDSM TO REVISE THE FUTURE LAND USE DESIGNATION FROM LOW DENSITY RESIDENTIAL USE TO COMMUNITY MIXED USE AND TO REZONE THE PROPERTY FROM “N3A” NEIGHBORHOOD DISTRICT TO “MX3” MIXED USE DISTRICT TO ALLOW THE USE OF AN ACCESSORY STRUCTURE FOR A MOTOR VEHICLE REPAIR BUSINESS

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 **DENIAL** of a request from Sheldon Roney (Owner), to determine the requested rezoning is not in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan, to amend the PlanDSM: Creating Our Tomorrow future land use designation for Property at 1626 East Park Avenue from Low Density Residential Use to Community Mixed Use; to rezone the Property from “N3a” Neighborhood District to “MX3” Mixed Use District to allow the use of an accessory structure for a motor vehicle repair business:

WHEREAS, the Property is legally described as follows:

Lot 3 in SPOSETO HEIGHTS NO. 4 an Official Plat, except that portion of Lot 3 conveyed in Book 5122, Page 318 to the City of Des Moines, all 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 November 21, 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 Boesen

FORM APPROVED:

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

(ZONG-2022-000084 & 2022-000058)

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.

Josh Fubell
 MAYOR PRO TEM

Laura Baumgartner City Clerk