



**Roll Call Number**

23-1427

**Agenda Item Number**

29

**Date** October 23, 2023

**RESOLUTION SETTING PUBLIC HEARING REGARDING REQUEST FROM JEDD CORPORATION (OWNER), REPRESENTED BY DANIEL R. RICE (OFFICER), TO REZONE THE PROPERTY LOCATED IN THE VICINITY OF 4221 SOUTHEAST 14<sup>TH</sup> STREET**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on October 5, 2023, its members voted 11-0 in support of a motion to recommend **APPROVAL** of a request from Jedd Corporation (Owner), represented by Daniel R. Rice (Officer), for property located in the vicinity of 4221 Southeast 14<sup>th</sup> Street, to rezone the property from “MX3-V” Mixed Use District to “MX3” Mixed Use District, to allow renovation of an existing building use as “Vehicle Maintenance and Repair, Minor” and “Vehicle Sales” uses and determined the requested rezoning is in conformance with the PlanDSM: Creating Our Tomorrow Comprehensive Plan; and

**WHEREAS**, the Property is legally described as follows:

**THE NORTH ONE-HALF (N 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/ 4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 23, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH PM, POLK COUNTY, IOWA, EXCEPT THE SOUTH 10 FEET THEREOF AND EXCEPT ROAD.**

**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 rezoning 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 City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on November 6, 2023, 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/ Chas M. Cahill  
Chas M. Cahill  
Assistant City Attorney

(ZONG-2023-000057)

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

M. Frankin Cownie Mayor

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