

**Agenda Item Number**

Date June 30, 2025

1. Use of the property shall be limited to the following:
 - A. Any use as permitted and limited in the “EX” District.
 - B. A processing and cold storage business.
2. Any outdoor storage shall only be accessory to a processing and cold storage business, so long as outdoor storage is placed and screened to the satisfaction of the Planning and Urban Design Administrator.
3. Any future building or building addition shall not exceed the height permitted by the Chapter 135 building type regulations associated with the “EX” district. Any request for a Design



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Alternative regarding building height, including a Type 1 Design Alternative, shall be considered by the Plan and Zoning Commission.

4. Any future construction or development of the site must comply with all applicable site plan and design regulations of the Planning and Design Ordinance (Chapter 135 of City Code).; and

WHEREAS, the Property is legally described as follows:

LOTS 83 THROUGH 93, AND THE WEST 10' OF LOT 94, VALLEY GARDENS, AN OFFICIAL PLAT RECORDED IN BOOK F, PAGE 97, CITY OF DES MOINES, POLK COUNTY, IOWA.; and

WHEREAS, on May 5, 2025, by Roll Call No. 25-0655, it was duly resolved by the City Council that the request for approval of the proposed amendment and rezoning be set down for hearing on May 19, 2025, at 5:00 p.m., at the City Council Chambers; and

WHEREAS, on May 19, 2025, by Roll Call No. 25-0780, it was duly resolved by the City Council that the request for approval of the proposed amendment and rezoning be opened and continued to a hearing on June 9, 2025, at 5:00 p.m., at the City Council Chambers; and

WHEREAS, on June 9, 2025, by Roll Call No. 25-0859, it was duly resolved by the City Council that the request for approval of the proposed amendment and rezoning be opened and continued to a hearing on June 30, 2025, at 5:00 p.m., at the City Council Chambers.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

1. Upon due consideration of the facts, and any and all statements of interested persons and arguments of counsel, any objections to the proposed amendment and rezoning are hereby overruled, and the hearing is closed.

Alternative A - Denial

MOVED by _____ to ~~DENY~~ the proposed amendment and rezoning.

Alternative B – Continuance to Draft Approval with Conditions

MOVED by Mendelbaum to continue the public hearing until July 14, 2025, at 5:00 p.m. in the Council Chambers at City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, and to direct the City Manager and Legal Department to prepare the necessary legislation with conditions

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to **APPROVE** the requested amendment to the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation for the subject property from Business Park to Industrial and the requested rezoning for Property from "EX" Mixed Use District to Limited "I1" Industrial District, to allow expansion of an existing industrial use, subject to conditions, and determining the requested rezoning is in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan.

FORM APPROVED:

Second by Gatto

/s/ Chas M. Cahill

Chas M. Cahill

Assistant City Attorney

(ZONG-2024-000041) (COMP-2024-000026)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
SIMONSON	✓			
VOSS	✓			
COLEMAN	✓			
WESTERGAARD	✓			
MANDELBAUM	✓			
GATTO	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

Connie Boesen

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