



Roll Call Number

25-0213

Agenda Item Number

41

Date February 10, 2025

RESOLUTION HOLDING PUBLIC HEARING REGARDING REQUEST FROM BIG DEAL INVESTMENTS, LLC (OWNER), REPRESENTED BY DYLAN BOOK (OFFICER), FOR PROPERTY LOCATED AT 1424 ARMY POST ROAD, TO REZONE THE PROPERTY FROM “RX1” MIXED USE DISTRICT TO LIMITED “MX3” MIXED USE DISTRICT, TO ALLOW REUSE OF THE PROPERTY FOR A “VEHICLE SALES AND SERVICE – VEHICLE RENTAL” USE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on January 16, 2025, its members voted 13-0 in support of a motion to recommend **APPROVAL** of a request from Big Deal Investments, LLC (Owner) represented by Dylan Book (Officer), for the proposed rezoning from “RX1” Mixed Use District to Limited “MX3” Mixed Use District be found in conformance with the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation of Community Mixed Use; and

WHEREAS, the City Plan and Zoning Commission has further advised that at a public hearing held on January 16, 2025, its members voted 13-0 in support of a motion to recommend **APPROVAL** of a request from Big Deal Investments, LLC (Owner) represented by Dylan Book (Officer), to rezone the Property from “RX1” Mixed Use District to Limited “MX3” Mixed Use District, to allow reuse of the property for a “Vehicle Sales and Service – Vehicle Rental” use, subject to the following conditions:

1. Permitted uses shall be limited to:
 - a. Vehicle Sales and Service - Vehicle Rental; and
 - b. Any use as permitted in common with and as limited by the “RX1” District.
2. Any use on the property shall be in accordance with an approved site plan pursuant to Chapter 135 of the Municipal Code.
3. Any vehicle for lease, sale or hire shall be stored or displayed in the rear portion of the subject property as shown on an approved site plan.; and

WHEREAS, the Property is legally described as follows:

THE WEST 101 FEET OF THE EAST 396 FEET OF THE SOUTH 141 FEET OF THE NORTH 183 FEET OF THE EAST 12 ACRES OF THE NE 1/ 4 OF THE NE 1/ 4 OF SECTION 32, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA;

SUBJECT TO ALL COVENANTS, RESTRICTIONS AND EASEMENTS OF RECORD;
and



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WHEREAS, on January 27, 2025, by Roll Call No. 25-0117, it was duly resolved by the City Council that the request for approval of the proposed rezoning be set down for hearing on February 10, 2025, at 5:00 p.m., at the City Council Chambers; and

WHEREAS, due notice of said hearing was published in the Des Moines Register, as provided by law, setting forth the time and place for hearing on said proposed rezoning; and

WHEREAS, in accordance with said notice, those interested in said proposed rezoning, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council.

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 rezoning of the Property are hereby overruled, and the hearing is closed.
2. The proposed rezoning of the Property, as legally described above, from "RX1" Mixed Use District to Limited "MX3" Mixed Use District, to allow reuse of the property for a "Vehicle Sales and Service – Vehicle Rental" use, subject to the conditions set forth above, is hereby found to be in conformance with the PlanDSM: Creating Our Tomorrow Land Use Plan and is hereby approved, subject to final passage of an ordinance rezoning the Property as set forth herein.

MOVED BY Mandelbaum TO ADOPT.

SECOND BY Voss

FORM APPROVED:

/s/ Chas M. Cahill
Chas M. Cahill
Assistant City Attorney

(ZONG-2024-000047)



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

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.

MOTION CARRIED

APPROVED

Connie Breen

Mayor

Laura Baumgartner

City Clerk