

DateMay 5, 2025.....

RESOLUTION SETTING HEARING ON REQUEST FROM SIMMONDS PROPERTIES (OWNER), MICHAEL H. SIMMONDS (OWNER), AND LINDA G. SIMMONDS, REPRESENTED BY JIM SNELL TO AMEND PLANDSM TO REVISE THE FUTURE LAND USE DESIGNATION AND TO REZONE THE PROPERTY LOCATED AT 3018 EAST UNIVERSITY AVENUE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on April 17, 2025, its members voted 10-0 in support of a motion finding the requested rezoning for Property located at 3018 East University Avenue is not in conformance with the existing PlanDSM future land use designation of Low Density Residential within a Neighborhood Node; and

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on April 17, 2025 its members voted 10-0 in support of a motion to recommend **APPROVAL** of a request from Simmonds Properties (Owner), Michael H. Simmonds (Owner), and Linda G. Simmonds (Owner), represented by Jim Snell, to amend the PlanDSM: Creating Our Tomorrow future land use designation for Property located at 3018 East University Avenue from Low Density Residential within a Neighborhood Node to Community Mixed Use within a Neighborhood Node; to rezone the Property from “N5” Neighborhood District to “MX3” Mixed Use District, to allow expansion of an existing drive-through restaurant, 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:

LOT 20 IN BLOCK 10 IN HYDE PARK PLAT TWO, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, 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 PlanDSM Creating Our Tomorrow comprehensive Plan and proposed rezoning are to be considered, and at which time the City Council will hear both those who oppose and those who favor the proposals, shall be held at 5:00 p.m. on May 19, 2025 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 proposals 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.



Roll Call Number

250656

Agenda Item Number

27

Date May 5, 2025

MOVED BY Gatto TO ADOPT. SECOND BY Voss

FORM APPROVED:

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

(ZONG-2025-000010) (COMP-2025-000007)

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

MOTION CARRIED

APPROVED

Connie Buesen

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