



Roll Call Number

25-1002

Agenda Item Number

43

Date July 14, 2025

**RESOLUTION HOLDING PUBLIC HEARING REGARDING REQUEST FROM IOWA PACIFIC PROCESSORS, INC. (OWNER), REPRESENTED BY MIKE EVERETT (OFFICER) AND THE CITY OF DES MOINES, REPRESENTED BY DWAYNE MYERS (OFFICER), FOR THE FOLLOWING REGARDING MULTIPLE PARCELS LOCATED IN THE VICINITY OF 2606 SUNSET ROAD, TO AMEND PLANDSM CREATING OUR TOMORROW PLAN TO REVISE THE FUTURE LAND USE CLASSIFICATION FROM BUSINESS PARK TO INDUSTRIAL, AND TO REZONE THE PROPERTY FROM "EX" MIXED USE DISTRICT TO LIMITED "I1" INDUSTRIAL DISTRICT, TO ALLOW EXPANSION OF AN EXISTING INDUSTRIAL USE**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on April 17, 2025, its members voted 9-1 in support of a motion to recommend **APPROVAL** of a request from Iowa Pacific Processors, Inc. (Owner), represented by Mike Everett (Officer), and the City of Des Moines, represented by Dwayne Myers (Officer), for the proposed rezoning from "EX" Mixed Use District to Limited "I1" Industrial District be found in conformance with the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation of Business Park; and

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on April 17, 2025, its members voted 9-1 in support of a motion to recommend **APPROVAL** of a request from Iowa Pacific Processors, Inc. (Owner), represented by Mike Everett (Officer), and the City of Des Moines, represented by Dwayne Myers (Officer), to amend the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation for the subject property from Business Park to Industrial; and

**WHEREAS**, the City Plan and Zoning Commission has further advised that at a public hearing held on April 17, 2025, its members voted 9-1 in support of a motion to recommend **APPROVAL** of a request from Iowa Pacific Processors, Inc. (Owner), represented by Mike Everett (Officer), and the City of Des Moines, represented by Dwayne Myers (Officer), to rezone the Property from "EX" Mixed Use District to Limited "I1" Industrial District, to allow expansion of an existing industrial use, subject to the following conditions:

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.

**WHEREAS**, on June 30, 2025, by Roll Call No. 25-0936, 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.

**WHEREAS**, on June 30, 2025, by Roll Call No. 25-0936, 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 July 14, 2025, at 5:00 p.m., at the City Council Chambers; and directed the City Manager and Legal Department to prepare the necessary legislation to approve with conditions 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, and determining the requested rezoning is in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan; and

**WHEREAS**, City Staff presented the Applicant a revised, proposed rezoning legislation with updated conditions to rezone the Property from "EX" Mixed Use District to Limited "I1" Industrial District, to allow expansion of an existing industrial use, subject to the following conditions:



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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 93 feet in height.
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).

**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.
2. The proposed amendment to PlanDSM: Creating Our Tomorrow Plan to revise the future land use classification for the Property from Business Park to Industrial is hereby approved.
3. The proposed rezoning of the Property, as legally described above, from "EX" Mixed Use District to Limited "I1" Industrial District, to allow expansion of an existing industrial use, subject to the conditions set forth above in the City Staff proposed rezoning conditions, is hereby approved, subject to final passage of an ordinance rezoning the Property as set forth herein.

MOVED BY Mandelbaum TO ADOPT.

SECOND BY Gatto.

FORM APPROVED:

/s/ Chas M. Cahill

Chas M. Cahill

Assistant City Attorney

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



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

MOTION CARRIED

APPROVED



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.



City Clerk