



Roll Call Number

21-1157

Agenda Item Number

63

Date July 19, 2021

RESOLUTION CONTINUING HEARING ON REQUEST FROM OSCAR AND ENRIQUE ZENTENO TO AMEND PLANDSM FUTURE LAND USE CLASSIFICATION AND TO REZONE 2354 EAST GRAND AVENUE

WHEREAS, on April 19, 2021, by Roll Call No. 21-0615, the City Council received a communication from the Plan and Zoning Commission advising that at a public hearing held on April 1, 2021, its members voted 9-4 in support of a motion to recommend DENIAL of a request from Oscar and Enrique Zenteno (owners) to amend the PlanDSM: Creating Our Tomorrow comprehensive plan future land use classification for real property locally known as 2354 East Grand Avenue ("Property") from Neighborhood Mixed Use to Community Mixed Use, and to rezone the Property from MX1 Mixed Use District to MX3 Mixed Use District, to allow the ongoing operation of a Minor Vehicle/Maintenance Repair use on the Property; and

WHEREAS, on April 19, 2021, by Roll Call No. 21-0615, it was duly resolved by the City Council that the request to amend the land use designation and to rezone the Property be set down for hearing on May 10, 2021, at 5:00 p.m., by electronic means to encourage and maintain social distancing to curb the spread of COVID19 in the community, without public access to the meeting location; 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 land use amendment and rezoning; and

WHEREAS, on May 10, 2021, by Roll Call No. 21-0730, the City Council opened and continued said hearing to 5:00 p.m. on June 14, 2021, at the Council Chambers, and directed City staff to prepare documents for consideration of conditional approval of the proposed rezoning; and

WHEREAS, on June 14, 2021, by Roll Call No. 21-0918, the City Council opened and further continued said hearing to 5:00 p.m. on June 28, 2021, upon request by the applicants' representative for additional review time; and

WHEREAS, on June 28, 2021, by Roll Call No. 21-1045, the City Council opened and further continued said hearing to 5:00 p.m. on July 19, 2021, upon request by the applicants' representative for additional review time; and

WHEREAS, the representative for the property owners has again requested additional time for review and evaluation of the proposed rezoning conditions and to address neighborhood questions, and a further continuation of the hearing is required.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the public hearing on request for approval of the proposed land use amendment and rezoning for real property locally known as 2354 East Grand Avenue is hereby opened and continued to August 9, 2021, at 5:00 p.m. in the Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa.

FORM APPROVED:

/s/ Glenna K. Frank

Glenna K. Frank, Assistant City Attorney

MOVED BY Gatto TO ADOPT.

(ZON2021-00020)

CERTIFICATE

I, P. KAY CMELIK, 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.

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, GRAY, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL.

MOTION CARRIED

APPROVED

Handwritten signature of J. M. Franklin Cownie, Mayor

Handwritten signature of P. Kay Cmelik

City Clerk