



Roll Call Number

23-0393

Agenda Item Number

28

Date March 27, 2023

RESOLUTION SETTING HEARING ON REQUEST FROM TB BUILDING, LLC (OWNER), REPRESENTED BY STEPHEN RONEY (OFFICER) TO AMEND PLANDSM TO REVISE THE FUTURE LAND USE DESIGNATION AND TO REZONE THE PROPERTY LOCATED AT 1202 THOMAS BECK ROAD

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on March 2, 2023, its members voted 12-2 in support of a motion finding the requested rezoning for Property located at 1202 Thomas Beck Road is not in conformance with the existing PlanDSM future land use designation of Low Density Residential; and

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on March 2, 2023 its members voted 12-2 in support of a motion to recommend **APPROVAL** of a request from TB Building, LLC (Owner), represented by Stephen Roney (Officer), to amend the PlanDSM: Creating Our Tomorrow future land use designation for Property located at 1202 Thomas Beck Road from Low Density Residential to Business Park; to rezone the Property from "NX1" Neighborhood District to "EX" Industrial District to allow multiple uses, including a religious assembly, fabrication and production, and office and determined the requested rezoning is in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan:

WHEREAS, the Property is legally described as follows:

BEGINNING AT A POINT WHICH IS AT THE INTERSECTION OF THE SOUTH LINE OF THOMAS BECK ROAD AND A LINE WHICH IS 20 FEET EAST OF THE WEST LINE OF SAID LOT 14; THENCE S 00°19'01" E, A DISTANCE OF 468.71 FEET ALONG A LINE 20 FEET EAST OF THE WEST LINE OF SAID LOT 14; THENCE N 89°39'07" E, A DISTANCE OF 50 FEET ALONG THE NORTH LINE OF VACATED GRAY STREET; THENCE N 00°19'01" W, A DISTANCE OF 172.00 FEET; THENCE N 89°38'07" E, A DISTANCE OF 395.62 FEET; THENCE S 00°19'01" E, A DISTANCE OF 172.00 FEET TO A POINT ON THE NORTH LINE OF VACATED GRAY STREET; THENCE N 89°38'07" E, A DISTANCE OF 100.00 FEET ALONG THE NORTH LINE OF VACATED GRAY STREET; THENCE N 00°19'01" W, A DISTANCE OF 45.00 FEET ALONG THE WEST LINE OF VACATED S. W. 12TH STREET; THENCE N 89°38'07" E, A DISTANCE OF 373.04 FEET ALONG THE NORTH LINE OF BUTLER'S SECOND ADDITION TO DES MOINES TO A POINT ON THE NORTHWEST LINE OF JOE P. DAVIS ROAD; THENCE N 45°43'15" E, A DISTANCE OF 158.67 FEET ALONG THE NORTHWEST LINE OF JOEL P. DAVIS ROAD; THENCE N 49°08'56" W, A DISTANCE OF 892.51 FEET TO A POINT ON THE SOUTH LINE OF THOMAS BECK ROAD; THENCE ALONG THE ARC OF A CURVE, CONCAVE TO THE NORTH, A DISTANCE OF 229.92 FEET TO A POINT OF TANGENCY, SAID CURVE HAVING A RADIUS OF 1910.08 FEET AND A CENTRAL ANGLE OF 06°53'51.5", A CHORD BEARING OF S 50°42'38.4" W AND



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A CHORD LENGTH OF 229.80 FEET; THENCE S 54°09'34.1" W, A DISTANCE OF 224.04 FEET TO THE POINT OF BEGINNING, EXCEPT THAT PART OF LOT 12 CONVEYED TO THE CITY OF DES MOINES BY WARRANTY DEED RECORDED IN BOOK 16872, PAGE 272.

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 the comprehensive plan future land use designation is to be considered, and at which time the City Council will hear both those who oppose and those who favor the proposal, shall be held at 5:00 p.m. on April 10, 2023 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 proposal 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.

MOVED BY Gatto TO ADOPT. SECOND BY Boesen

FORM APPROVED:

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

(ZONG-2023-000006) (COMP-2023-000006)

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

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.

T.M. Franklin Cownie Mayor

Laura Baumgartner City Clerk