



**Roll Call Number**

23-0826

**Agenda Item Number**

26

**Date** June 12, 2023

**RESOLUTION SETTING HEARING ON REQUEST FROM WILLIAM C KNAPP, LLC (OWNER), REPRESENTED BY GERARD D. NEUGENT (OFFICER), TO AMEND PLANDSM TO REVISE THE FUTURE LAND USE DESIGNATION AND TO REZONE THE PROPERTY LOCATED IN THE VICINITY OF 1803 COUNTY LINE ROAD**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on May 18, 2023, its members voted 8-0 in support of a motion finding the requested rezoning for the Property including two (2) parcels located in the vicinity of 1803 County Line Road is not in conformance with the existing PlanDSM future land use designation of Business Park within a future Neighborhood Node; and

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on May 18, 2023 its members voted 8-0 in support of a motion to recommend **APPROVAL** of a request from William C Knapp, LLC (Owner), represented by Gerard D. Neugent (Officer), to amend the PlanDSM: Creating Our Tomorrow future land use designations for Property including two (2) parcels in the vicinity of 1803 County Line Road from Business Park within a Future Neighborhood Node to Community Mixed Use, Business Park, Public/Semi-Public, and Low-Medium Density Residential within a Neighborhood Node; to rezone the Property from “EX” Mixed Use District to multiple districts, including “MX3” Mixed-Use District, “MX1” Mixed-Use District, “P2” Public, Civic and Institutional District, “I1” Industrial District, and “NX2” Neighborhood Mix District, to allow a large-scale, multi-use project, and determined the requested rezoning is in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan:

**WHEREAS**, the Property is legally described as follows:

**LOT 1 (Amend Land Use Designation from Business Park within a Future Neighborhood Node to Low-Medium Density Residential within a Neighborhood Node, and Rezone from “EX” Mixed Use District to “NX2” Neighborhood Mix District)**

**THE EAST 851.00 FEET OF PARCEL ‘J’ OF THE SE ¼ SEC 32-78-24, AN OFFICAL PARCEL RECORDED IN BOOK 12742 PAGE 120, AT THE POLK COUNTY RECORDER’S OFFICE. CONTAINING 5.77 ACRESS MORE OR LESS.**

**AND**

**THE EAST 851.00 FEET OF THE FOLLOWING DESCRIBTED PROPERTY: BEGINNING AT A POINT 336.88 FEET NORTH AND 25.00 FEET EAST OF THE SOUTH ¼ CORNER OF SECTION 322, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5<sup>TH</sup> P.M., POLK COUNTY, IOWA; THENCE NORTH 303.89 FEET; THENCE EAST 1292.12 FEET; THENCE SOUTH 312.92 FEET; THENCE WEST TO THE POINT OF BEGINNING. CONTAINING 6.03 ACRESS MORE OR LESS.**



**Roll Call Number**

23-0826

**Agenda Item Number**

26

Date June 12, 2023

**LOT 2 (Amend Land Use Designation from Business Park within a Future Neighborhood Node to Community Mixed Use, and Rezone from "EX" Mixed Use District to "MX1" Mixed Use District)**

THE WEST 114.00 FEET OF THE EAST 965.00 FEET OF SAID PARCEL 'J' OF THE SE ¼ SEC 32-78-24, AN OFFICAL PARCEL RECORDED IN BOOK 12742 PAGE 120, AT THE POLK COUNTY RECORDER'S OFFICE. CONTAINING 35,041 SQ.FT. MORE OR LESS.

AND

THE WEST 114.00 FEET OF THE EAST 965.00 FEET OF THE FOLLOWING DESCRIBED PROPERTY: BEGINNING AT A POINT 336.88 FEET NORTH AND 25.00 FEET EAST OF THE SOUTH ¼ CORNER OF SECTION 322, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5<sup>TH</sup> P.M., POLK COUNTY, IOWA; THENCE NORTH 303.89 FEET; THENCE EAST 1292.12 FEET; THENCE SOUTH 312.92 FEET; THENCE WEST TO THE POINT OF BEGINNING. CONTAINING 34,838 SQ.FT. MORE OR LESS.

**LOT 3 (Amend Land Use Designation from Business Park within a Future Neighborhood Node to Community Mixed Use, and Rezone from "EX" Mixed Use District to "MX3" Mixed Use District)**

THE WEST 111.96 FEET OF PARCEL 'J' OF THE SE ¼ SEC 32-78-24, AN OFFICAL PARCEL RECORDED IN BOOK 12742 PAGE 120, AT THE POLK COUNTY RECORDER'S OFFICE. CONTAINING 33,630 SQ.FT. MORE OR LESS.

AND

THE WEST 111.96 FEET OF THE FOLLOWING DESCRIBED PROPERTY: BEGINNING AT A POINT 336.88 FEET NORTH AND 25.00 FEET EAST OF THE SOUTH ¼ CORNER OF SECTION 322, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5<sup>TH</sup> P.M., POLK COUNTY, IOWA; THENCE NORTH 303.89 FEET; THENCE EAST 1292.12 FEET; THENCE SOUTH 312.92 FEET; THENCE WEST TO THE POINT OF BEGINNING. CONTAINING 33,963 SQ.FT. MORE OR LESS.

**LOT 4 (Amend Land Use Designation from Business Park within a Future Neighborhood Node to Public/Semi-Public, and Rezone from "EX" Mixed Use District to "P-2" Public, Civic and Institutional District)**

THE EAST 215.00 FEET OF THE WEST 326.96 FEET EXCEPT THE SOUTH 216.00 FEET OF PARCEL 'J' OF THE SE ¼ SEC 32-78-24, AN OFFICAL PARCEL

★ Roll Call Number

.....23-0826

Agenda Item Number

.....26

Date ..... June 12, 2023

RECORDED IN BOOK 12742 PAGE 120, AT THE POLK COUNTY RECORDER'S OFFICE. CONTAINING 19,717 SQ.FT. MORE OR LESS.

AND

THE EAST 215.00 FEET OF THE WEST 326.96 FEET OF THE FOLLOWING DESCRIBED PROPERTY: BEGINNING AT A POINT 336.88 FEET NORTH AND 25.00 FEET EAST OF THE SOUTH ¼ CORNER OF SECTION 322, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5<sup>TH</sup> P.M., POLK COUNTY, IOWA; THENCE NORTH 303.89 FEET; THENCE EAST 1292.12 FEET; THENCE SOUTH 312.92 FEET; THENCE WEST TO THE POINT OF BEGINNING. CONTAINING 1.50 ACRES MORE OR LESS.

LOT 5 (Amend Land Use Designation from Business Park within a Future Neighborhood Node to Business Park, and Rezone from "EX" Mixed Use District to "I1" Industrial District)

THE SOUTH 216 FEET OF THE EAST 215 FEET OF THE WEST 326.96 FEET OF PARCEL 'J' OF THE SE ¼ SEC 32-78-24, AN OFFICAL PARCEL RECORDED IN BOOK 12742 PAGE 120, AT THE POLK COUNTY RECORDER'S OFFICE.

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 June 26, 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.

★ Roll Call Number

23-0824

Agenda Item Number

26

Date June 12, 2023

MOVED BY Gatto TO ADOPT. SECOND BY Mandelbaum

FORM APPROVED:

/s/ Chas M. Cahill

Chas M. Cahill  
Assistant City Attorney

(COMP-2023-000017) (ZONG-2023-000026)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
SHEUMAKER				✓
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			1

MOTION CARRIED

APPROVED

J. M. Frankin Cownie 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