

Date February 5, 2024

RESOLUTION SETTING PUBLIC HEARING ON REQUEST FROM IA9 DES MOINES, LLC (OWNER), REPRESENTED BY BRYAN SLAMA (OFFICER) TO AMEND PLANDSM TO REVISE THE FUTURE LAND USE DESIGNATION AND TO REZONE THE PROPERTY LOCATED IN VICINITY OF 1475 HART AVENUE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on January 18, 2024, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from IA9 Des Moines, LLC (owner), represented by Bryan Slama (officer), for the proposed rezoning of three (3) parcels located in the vicinity of 1475 Hart Avenue, from “N1a” Neighborhood District to Limited “EX” Mixed Use District be found not in conformance with the PlanDSM: Creating Our Tomorrow Plan Land Use Plan 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 January 18, 2024, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from IA9 Des Moines, LLC (owner), represented by Bryan Slama (officer), to amend the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation for the subject property from Low Density Residential within a Neighborhood Node to Business Park within a Neighborhood Node; and

WHEREAS, the City Plan and Zoning Commission has further advised that at a public hearing held on January 18, 2024, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from IA9 Des Moines, LLC (owner), represented by Bryan Slama (officer), to rezone the Property from “N1a” Neighborhood District to Limited “EX” Mixed Use District, to allow the development of self-storage and/or flex warehouse buildings, subject to the following condition:

1. No individual storage unit shall be less than 600 square feet in area; and

WHEREAS, the Property is legally described as follows:

LOT 28 (EXCEPT THE EAST 100 FEET THEREOF), LOT 29 AND LOT 30 (EXCEPT THE WEST 30 FEET THEREOF) IN CAPITOL VIEW ACRES, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, 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

★ Roll Call Number

24-0180

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and filed.

- 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 City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on February 19, 2024, at which time the City Council will hear both those who oppose and those who favor the proposals.
- 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 Westergaard

FORM APPROVED:

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

(ZONG-2023-000041) (COMP-2023-000068)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			
MOTION CARRIED	APPROVED			

Connie Boesen 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