



Roll Call Number

24-0181

Agenda Item Number

19

Date February 5, 2024

RESOLUTION SETTING HEARING ON REQUEST FROM JUAN’S AUTO REPAIR, LLC (OWNER), REPRESENTED BY JUAN LOPEZ (OFFICER) TO AMEND PLANDSM TO REVISE THE FUTURE LAND USE DESIGNATION AND TO REZONE THE PROPERTY LOCATED AT 1660 EAST ARMY POST ROAD

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 finding the requested rezoning for Property located at 1660 East Army Post Road is not in conformance with the existing PlanDSM future land use designation of Business Park within a Regional 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 Juan’s Auto Repair, LLC (owner), represented by Juan Lopez (officer), to amend the PlanDSM: Creating Our Tomorrow future land use designation for Property located at 1660 East Army Post Road from Business Park within a Regional Node to Community Mixed Use within a Regional Node; to rezone the Property from “EX” Mixed Use District to “CX” Mixed-Use District to allow construction of a new auto body repair shop, 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 3 (EXCEPT THE NORTH 130 FEET AND EXCEPT THE SOUTH 41.4 FEET ON THE WEST LINE AND THE SOUTH 37.8 FEET ON THE EAST LINE) IN NEW HOPE, 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 and filed.
2. 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 proposal, shall be held at 5:00 p.m. on February 19, 2024 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.



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MOVED BY Gatto

TO ADOPT. SECOND BY Westergaard

FORM APPROVED:

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

(ZONG-2023-000062) (COMP-2023-000046)

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

MOTION CARRIED APPROVED

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.

Connie Boesen Mayor

Laura Baumgartner City Clerk