



Roll Call Number

.....24-0654.....

Agenda Item Number

20

DateMay 6, 2024.....

RESOLUTION SETTING PUBLIC HEARING REGARDING REQUEST FROM GT PORTFOLIO IA, LLC (OWNER), REPRESENTED BY THOMAS KUHN (OFFICER), FOR THE FOLLOWING REGARDING PROPERTY LOCATED AT 1427 5TH AVENUE, TO AMEND PLANDSM CREATING OUR TOMORROW PLAN TO REVISE THE FUTURE LAND USE CLASSIFICATION FROM LOW DENSITY RESIDENTIAL WITHIN A COMMUNITY NODE TO HIGH DENSITY RESIDENTIAL WITHIN A COMMUNITY NODE, AND TO REZONE THE PROPERTY FROM “N5” NEIGHBORHOOD DISTRICT TO LIMITED “NX2” NEIGHBORHOOD MIX DISTRICT, TO ALLOW RE-USE OF AN EXISTING BUILDING FOR SEVEN (7) RESIDENTIAL DWELLING UNITS

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on April 18, 2024, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from GT Portfolio IA, LLC (owner), represented by Thomas Kuhn (officer), for the proposed rezoning from “N5” Neighborhood District to Limited “NX2” Neighborhood Mix District be found not in conformance with the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation of Low Density Residential within a Community Node; and

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on April 18, 2024, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from GT Portfolio IA, LLC (owner), represented by Thomas Kuhn (officer), to amend the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation for the subject property from Low Density Residential within a Community Node to High Density Residential within a Community Node; and

WHEREAS, the City Plan and Zoning Commission has further advised that at a public hearing held on April 18, 2024, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from GT Portfolio IA, LLC (owner), represented by Thomas Kuhn (officer), to rezone the Property from “N5” Neighborhood District to Limited “NX2” Neighborhood Mix District, to allow re-use of an existing building for seven (7) residential dwelling units, subject to the following conditions:

1. Any use of the Property for a multiple-household residential use shall be limited to no more than seven (7) dwelling units; and
2. Vehicular access to the Property for a multiple-household residential use shall only be allowed from the alleyway to the east; and
3. Any use of the Property for a multiple-household residential use shall be in accordance with a Site Plan approved pursuant to all applicable standards of Des Moines Municipal Code Chapter 135; and



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WHEREAS, the Property is legally described as follows:

LOT 5, BATES ADDITION TO NORTH DES MOINES, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND LOCALLY KNOWN AS 1427 – 5TH AVE., DES MOINES, IA 50314.

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 amendments 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 May 20, 2024, at which time the City Council will hear both those who oppose and those who favor the proposals.
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 Coleman TO ADOPT. SECOND BY Gatto.

FORM APPROVED:

/s/ Chas M. Cahill

Chas M. Cahill
Assistant City Attorney

(ZONG-2024-000009) (COMP-2024-000007)



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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
SIMONSON	✓			
VOSS	✓			
COLEMAN	✓			
WESTERGAARD	✓			
MANDELBAUM	✓			
GATTO	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

Connie Boeser

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