



**Roll Call Number**

24-0655

**WITHDRAWN**

**Agenda Item Number**

21

**Date** May 6, 2024

**RESOLUTION SETTING PUBLIC HEARING REGARDING REQUEST FROM STERLING INVESTMENTS, LLC (OWNER), REPRESENTED BY DAVID BARZEN (OFFICER), FOR PROPERTY LOCATED AT 1701 PENNSYLVANIA AVENUE, TO REZONE THE PROPERTY FROM “N5” NEIGHBORHOOD DISTRICT TO “N5-2” NEIGHBORHOOD DISTRICT, TO ALLOW USE OF THE PROPERTY FOR TWO (2) HOUSEHOLD DWELLING UNITS**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on April 4, 2024, its members voted 6-3 in support of a motion to recommend **APPROVAL** of a request from Sterling Investments, LLC (Owner), represented by David Barzen (Officer), for property located at 1701 Pennsylvania Avenue, to rezone the property from “N5” Neighborhood District to “N5-2” Neighborhood District, to allow use of the property for two (2) household dwelling units and determined the requested rezoning is in conformance with the PlanDSM: Creating Our Tomorrow Comprehensive Plan; and

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

**LTS 14-15 & 16 IN THE CORRECTED PLAT OF WASHINGTON HEIGHTS IN CAPITAL PARK, NOW INCLUDED IN AND FORMING A PART 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 rezoning is 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.



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MOVED BY \_\_\_\_\_ TO ADOPT.

SECOND BY \_\_\_\_\_

FORM APPROVED:

/s/ Chas M. Cahill

Chas M. Cahill  
Assistant City Attorney

(ZONG-2024-000008)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
SIMONSON				
VOSS				
COLEMAN				
WESTERGAARD				
MANDELBAUM				
GATTO				
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.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk