

★ Roll Call Number

20-1865

Agenda Item Number

15

Date November 23, 2020

RESOLUTION SETTING HEARING ON REQUEST FROM LAVERNE AND MAXINE ANDERSON TO REZONE PROPERTY LOCATED AT 1100 EAST MARION STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on November 5, 2020, its members voted 14-0 in support of a motion to recommend APPROVAL of a request from Laverne and Maxine Anderson (owners) to rezone the real property locally known as 1100 East Marion Street ("Property") from N3a Neighborhood District to Limited NX2 Neighborhood Mix District, to allow the existing residential dwelling to continue to be used for a group living use, including requiring conditional use approval from the Zoning Board of Adjustment if applicable, subject to the following condition:

- 1. Any group living use of the Property shall be limited to the Freedom House group living use, in form as described in the rezoning application; and

WHEREAS, the Property is legally described as follows:

LOT 39, ROSE HILL MANOR PLAT 1, AN OFFICIAL PLAT, ALL 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 rezoning 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 December 7, 2020, by electronic means to encourage and maintain social distancing to curb the spread of COVID19 in the community, without public access to the meeting location.
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. The City Clerk is instructed to provide this notice including information about participation in the electronic meeting as indicated above.

MOVED BY Gatto TO ADOPT.

FORM APPROVED:

/s/ Glenna K. Frank

Glenna K. Frank, Assistant City Attorney

(ZON2020-00128)

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

CERTIFICATE

I, P. KAY CMELIK, 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.

MOTION CARRIED APPROVED J. M. Frankha Cowrie Mayor

P. Kay Cmelik City Clerk