



Roll Call Number

21-0191

Agenda Item Number

23

Date February 8, 2021

RESOLUTION SETTING HEARING ON REQUEST FROM JC AM GROUP, LLC (OWNER) TO AMEND PLANDSM FUTURE LAND USE DESIGNATION AND TO REZONE PROPERTY LOCATED AT 1503 5TH AVENUE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on January 21, 2021, its members voted 12-1 in support of a motion to recommend **APPROVAL** of a request from JC AM Group, LLC (Owner), represented by John Cheng (officer), to amend the PlanDSM: Creating Our Tomorrow future land use designation for real property locally known as 1503 5th Avenue (“Property”) from Low Density Residential to Low-Medium Density Residential to allow rezoning to ‘N5-2’ Neighborhood District to allow the property to be converted to a Two-Household use (duplex); and

WHEREAS, the City Plan and Zoning Commission has further advised that at a public hearing held on January 21, 2021, its members voted 12-1 in support of a motion to recommend **APPROVAL** of a request from JC AM Group, LLC (Owner), represented by John Cheng (officer), to rezone the Property from ‘N5’ Neighborhood District to ‘N5-2’ Neighborhood District for the above-stated purpose subject to the following conditions:

1. Vehicular access to on-site parking shall be provided from the alley. A driveway to the street is prohibited; and
2. The site shall be brought into conformance with the Maximum Impervious Area requirements of Chapter 135 to the satisfaction of the Planning Administrator

WHEREAS, the Property is legally described as follows:

LOT 14 AND THE SOUTH ½ OF LOT 15 IN BATES ADDITION, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, 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 the comprehensive plan future land use designation 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 5:00 p.m. on February 22, 2021, 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

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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 Gray TO ADOPT.

FORM APPROVED: Judy K. Parks-Kruse
Judy K. Parks-Kruse
Assistant City Attorney

(21-2021-4.02)
(ZON2020-00164)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

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. Franklin Cownie
Mayor

P. Kay Cmelik
City Clerk