



Roll Call Number

22-0418

Agenda Item Number

30

Date March 21, 2022

**RESOLUTION SETTING HEARING ON REQUEST FROM CHRISTIAN LIFE ASSEMBLY OF GOD
TO AMEND PLANDSM FUTURE LAND USE DESIGNATION AND
TO REZONE PROPERTY LOCATED AT 9001 FLEUR DRIVE**

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on March 3, 2022, its members voted 13-0 in support of a motion to recommend **APPROVAL** of a request from Christian Life Assembly of God (owner), represented by Michael Hunsberger (officer), to amend the PlanDSM: Creating Our Tomorrow future land use designation for real property locally known as 9001 Fleur Drive (“Property”) from Low-Medium Density Residential to Public/Semi-Public Use to allow rezoning to P2 Public, Civic and Institutional District and the installation of new, larger signage permitted in said zoning district; and

WHEREAS, the City Plan and Zoning Commission has further advised that at a public hearing held on March 3, 2022, its members voted 13-0 in support of a motion to recommend **APPROVAL** of a request from Christian Life Assembly of God (owner), represented by Michael Hunsberger (officer), to rezone the Property from NX2 Neighborhood Mix District to P2 Public, Civic and Institutional District for the above-stated purpose; and

WHEREAS, the Property is legally described as follows:

A PARCEL OF LAND NOW INCLUDED IN AND FORMING A PART OF PARCEL “R”, AS RECORDED IN IRREGULAR PLAT BOOK 19, PAGE 2 OF 77-24 OF THE OFFICE OF THE WARREN COUNTY RECORDER, IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, ALL IN SECTION 5, TOWNSHIP 77 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, WARREN COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SECTION 5, TOWNSHIP 77 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, WARREN COUNTY, IOWA; THENCE SOUTH 00°43'30” WEST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5, A DISTANCE OF 237.54 FEET TO A POINT ON THE WEST LINE OF SAID PARCEL “R”; THENCE SOUTH 89°32'00” EAST ALONG THE WEST LINE OF SAID PARCEL “R”, A DISTANCE OF 109.40 FEET TO THE POINT OF BEGINNING AND THE EAST RIGHT-OF-WAY LINE OF FLEUR DRIVE; THENCE NORTH 01°18'59” EAST ALONG THE WEST LINE OF SAID PARCEL “R”, A DISTANCE OF 439.22 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY 5 AND THE NORTHWEST CORNER OF SAID PARCEL “R”; THENCE NORTH 53°34'19” EAST ALONG THE NORTH LINE OF SAID PARCEL “R”, A DISTANCE OF 97.78 FEET; THENCE SOUTH 74°12'30” EAST ALONG THE NORTH LINE OF SAID PARCEL “R”, A DISTANCE OF 508.32 FEET; THENCE SOUTH 70°02'56” EAST ALONG THE NORTH LINE OF SAID PARCEL “R”, A DISTANCE OF 221.14 FEET; THENCE SOUTH 27°24'25” WEST, A DISTANCE OF 467.21 FEET; THENCE SOUTH 74°07'59” WEST, A DISTANCE OF 193.91 FEET; THENCE NORTH 85°20'47” WEST, A DISTANCE OF 128.22 FEET; THENCE NORTH 62°56'23” WEST, A DISTANCE OF 197.18 FEET; THENCE NORTH 89°04'33” WEST, A DISTANCE OF 83.07 FEET TO A POINT ON THE WEST LINE OF SAID PARCEL “R” AND THE EAST RIGHT-OF-WAY LINE OF FLEUR DRIVE; THENCE NORTH 01°34'06” EAST ALONG THE WEST LINE OF SAID PARCEL “R”, A DISTANCE OF 83.00 FEET TO



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THE POINT OF BEGINNING, CONTAINING 8.74 ACRES (380,686 SQUARE FEET), SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND COVENANTS OF RECORD.

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 future land use designation and rezoning of the Property 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 April 4, 2022.
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 Boesen TO ADOPT.
 Second by Gatto,

FORM APPROVED:

/s/Glenna K. Frank
 Glenna K. Frank
 Assistant City Attorney

(ZONG-2022-000008; ZONG-2022-000012)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
SHEUMAKER	✓			
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