

Date September 12, 2022

RESOLUTION SETTING PUBLIC HEARING REGARDING REQUEST FROM ZACHARY FINCH AND CHERYL FINCH (OWNERS) FOR THE FOLLOWING REGARDING PROPERTY LOCATED AT 3125 KINGMAN BOULEVARD: TO AMEND PLANDSM CREATING OUR TOMORROW PLAN TO REVISE THE FUTURE LAND USE CLASSIFICATION FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL, AND TO REZONE THE PROPERTY FROM "N5-4" NEIGHBORHOOD DISTRICT TO "NX2" NEIGHBORHOOD MIX DISTRICT TO ALLOW THE USE OF THE PROPERTY FOR A MULTIPLE-HOUSEHOLD USE WITH UP TO 8 DWELLING UNITS

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on September 1, 2022, its members voted 12-1 in support of a motion to recommend **DENIAL** of a request from Zachary Finch and Cheryl Finch (Owners), for the proposed rezoning from "N5-4" Neighborhood District to "NX2" Neighborhood Mix District be found not in conformance with the current PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation of Low Density Residential; and

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on September 1, 2022, its members voted 12-1 in support of a motion to recommend **DENIAL** of a request from Zachary Finch and Cheryl Finch to amend the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation for the subject property from Low Density Residential to Medium Density Residential; and

WHEREAS, the City Plan and Zoning Commission has further advised that at a public hearing held on September 1, 2022, its members voted 12-1 in support of a motion to recommend **DENIAL** of a request from Zachary Finch and Cheryl Finch, to rezone the Property from "N5-4" Neighborhood District to "NX2" Neighborhood Mix District, to allow the use of the property for a multiple-household use with up to 8 dwelling units; and

WHEREAS, the Property is legally described as follows:

The South 197.5 feet of the East 1/2 of Lot 9 and the South 197.5 feet of Lot 10 in J.B. Locke's Subdivision, an Official Plat, 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 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 Council

★ **Roll Call Number**
22-1415

Agenda Item Number
35

Date September 12, 2022

Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on October 3, 2022, at which time the City Council will hear both those who oppose and those who favor the proposals.

- 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 Gatto TO ADOPT
 SECONDED BY Boesen

FORM APPROVED:

/s/ Gary D. Goudelock Jr.
 Gary D. Goudelock Jr.
 Assistant City Attorney

(ZONG-2022-000072; ZONG-2022-000074)

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

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.

J. M. Franklin Cownie
 Mayor

Laura Baumgartner
 City Clerk