

Date May 22, 2023

RESOLUTION SETTING HEARING ON REQUEST FROM CAMBODIAN BUDDHIST SOCIETY INC (OWNER), REPRESENTED BY NOY NOEUY (OFFICER), TO AMEND PLANDSM TO REVISE THE FUTURE LAND USE DESIGNATION AND TO REZONE THE PROPERTY LOCATED IN THE VICINITY OF 1301 19TH STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on May 4, 2023, its members voted 8-2-1 in support of a motion to recommend **DENIAL** of the requested rezoning for Property located in the vicinity of 1301 19th Street is in conformance with the existing PlanDSM future land use designation of Neighborhood Mixed Use; and

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on May 4, 2023, its members voted 8-2-1 in support of a motion to recommend **DENIAL** of a request from Cambodian Buddhist Society, Inc (Owners), represented by Noy Noeuy (Officer), to rezone the Property in the vicinity of 1301 19th Street from “NX1” Neighborhood Mix District to “RX1” Mixed-Use District, to allow the reuse of an existing building as a grocery store, and determining the requested rezoning is in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan; and

WHEREAS, the Property is legally described as follows:

LOT 180 IN KEOSAUQUA WAY PLAT 5, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA

LOTS 14, 15, 16, 17 IN BLOCK 1 IN J. H. WHEELER’S AVENUE ADDITION, 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 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 June 12, 2023 in the Council Chambers, City Hall, 400 Robert D. Ray, Drive, Des Moines.
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.

★ Roll Call Number

23-0722

Agenda Item Number

23

Date May 22, 2023

MOVED BY Gatto TO ADOPT. SECOND BY Boesen

FORM APPROVED:

/s/ Chas M. Cahill
Chas M. Cahill
Assistant City Attorney

(ZONG-2023-000021)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	1			
BOESEN	1			
GATTO	1			
SHEUMAKER				1
MANDELBAUM	1			
VOSS	1			
WESTERGAARD	1			
TOTAL	6			1

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