



Roll Call Number

23-1083

Agenda Item Number

25

Date August 7, 2023

RESOLUTION SETTING PUBLIC HEARING REGARDING REQUEST FROM SUNDRY CHURCH (OWNER), REPRESENTED BY ANTHONY J HODGES (OFFICER), FOR PROPERTY LOCATED AT 4100 6TH AVENUE AND 4112 6TH AVENUE TO REZONE THE NORTHERN 50 FEET OF THE PROPERTY FROM “P2” PUBLIC, CIVIC AND INSTITUTIONAL DISTRICT AND “N3B” NEIGHBORHOOD DISTRICT TO LIMITED “N3B” NEIGHBORHOOD DISTRICT

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on July 20, 2023, its members voted 9-0 in support of a motion to recommend **APPROVAL** of a request from Sundry Church (Owner) represented by Anthony J Hodges (Officer), for property located at 4100 6th Avenue and 4112 6th Avenue, to rezone the northern 50 feet of the property from “P2” Public, Civic and Institutional and “N3b” Neighborhood District to Limited “N3b” Neighborhood District; and determined the requested rezoning is in conformance with the PlanDSM: Creating Our Tomorrow Comprehensive Plan; to allow the property to be subdivided and used for a one-household residential use, subject to the following condition:

1. Any parcel containing a one-household residential use shall contain at least one (1) off-street motor vehicle parking space located outside of the front yard area.; and

WHEREAS, the Property is legally described as follows:

ALL OF LOT 105 AND THE NORTH 3 FEET OF LOT 106 OF COLLEGE PARK, AN O.P. AND THE EAST HALF OF THE VACATED ALLEY LYING WEST AND ADJACENT TO THE PARTS OF SAID LOT 105 AND 106, ALL BEING 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 proposals, shall be held at City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on August 21, 2023, at which time the City Council will hear both those who oppose and those who favor the proposals.
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.

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MOVED BY Gatto TO ADOPT. SECOND BY Boesen

FORM APPROVED:

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

(ZONG-2023-000017)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, SHEUMAKER, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL (6 yeas, 1 absent).

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