



Roll Call Number

24-0274

Agenda Item Number

44

Date February 19, 2024

RESOLUTION HOLDING PUBLIC HEARING REGARDING REQUEST FROM ELIM CHRISTIAN FELLOWSHIP OF DES MOINES (OWNER), REPRESENTED BY MICHAEL K HURST (OFFICER) TO AMEND PLANDSM TO REVISE THE FUTURE LAND USE DESIGNATION AND TO REZONE THE PROPERTY LOCATED AT 525 EAST 9TH STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on January 18, 2024, its members voted 11-0-1 in support of a motion to recommend **APPROVAL** of a request from Elim Christian Fellowship of Des Moines (Owner), represented by Michael K Hurst (Officer), for the proposed rezoning from “P2” Public, Civic and Institutional District to “DXR” Downtown District be found not in conformance with the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation of Public/Semi-Public; and

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on January 18, 2024, its members voted 11-0-1 in support of a motion to recommend **APPROVAL** of a request from Elim Christian Fellowship of Des Moines (Owner), represented by Michael K Hurst (Officer), for the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation for the subject property from Public/Semi-Public to Downtown Mixed Use; and

WHEREAS, the City Plan and Zoning Commission has further advised that at a public hearing held on January 18, 2024, its members voted 11-0-1 in support of a motion to recommend **APPROVAL** of a request from Elim Christian Fellowship of Des Moines (Owner), represented by Michael K Hurst (Officer), to rezone the Property from “P2” Public, Civic and Institutional District to “DXR” Downtown District, to allow renovation of an existing church building for a school and multiple household residential use; and

WHEREAS, the Property is legally described as follows:

THE NORTH 100 FEET OF LOTS 9, 10, 11 AND 12 IN BLOCK 3 IN H. LYONS ADDITION, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

LOT 3 (EXCEPT THE WEST 4 FEET THEREOF) IN BLOCK 14 IN H. LYONS ADDITION, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.; and

WHEREAS, on February 5, 2024, by Roll Call No. 24-0182, it was duly resolved by the City Council that the request for approval of the proposed amendment and rezoning be set down for hearing on February 19, 2024, at 5:00 p.m., at the City Council Chambers; and

WHEREAS, due notice of said hearing was published in the Des Moines Register, as provided by law, setting forth the time and place for hearing on said proposals; and



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WHEREAS, in accordance with said notice, those interested in said proposals, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

1. Upon due consideration of the facts, and any and all statements of interested persons and arguments of counsel, any objections to the proposed amendment and rezoning are hereby overruled, and the hearing is closed.
2. The proposed amendment to PlanDSM: Creating Our Tomorrow Plan to revise the future land use classification for the Property from Public/Semi-Public to Downtown Mixed Use is hereby approved.
3. The proposed rezoning of the Property, as legally described above, from "P2" Public, Civic and Institutional District to "DXR" Downtown District, to allow renovation of an existing church building for a school and multiple household residential use, is hereby approved, subject to final passage of an ordinance rezoning the Property as set forth herein.

MOVED BY Voss TO ADOPT. SECOND BY Mandelbaum

FORM APPROVED:

/s/ Chas M. Cahill

Chas M. Cahill
Assistant City Attorney

(ZONG-2023-000074) (COMP-2023-000043)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			
MOTION CARRIED	APPROVED			

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.

Connie Boesen Mayor

Laura Baumgartner City Clerk