

★ **Roll Call Number**

.....24-0417.....

Agenda Item Number

24

DateMarch 18, 2024.....

RESOLUTION SETTING PUBLIC HEARING REGARDING REQUEST FROM WAT LAO BUDDHAVATH OF IOWA (OWNER), REPRESENTED BY PHETSAMONE DARY (OFFICER), REGARDING TWO (2) PARCELS LOCATED IN THE VICINITY OF 1806 EAST PARK AVENUE, TO REZONE APPROXIMATELY THE NORTHERNMOST 50 FEET OF THE TWO (2) PARCELS FROM “N3A” NEIGHBORHOOD DISTRICT TO LIMITED “P2” PUBLIC, CIVIC, AND INSTITUTIONAL DISTRICT

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on March 7, 2024, its members voted 14-0 in support of a motion to recommend **APPROVAL** of a request from Wat Lao Buddhavath of Iowa (Owner), represented by Phetsamone Dary (Officer), for the proposed rezoning from “N3a” Neighborhood District to Limited “P2” Public, Civic, and Institutional District, be found in conformance with the 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 March 7, 2024, its members voted 14-0 in support of a motion to recommend **APPROVAL** of a request from Wat Lao Buddhavath of Iowa (Owner), represented by Phetsamone Dary (Officer), to rezone approximately the northernmost 50 feet of the two (2) parcels from “N3a” Neighborhood District to Limited “P2” Public, Civic, and Institutional District, to allow construction of an open-air accessory building for meditation and other uses associated with an “Assembly, Place of Worship” use, subject to the following condition:

1. The subject property shall be combined with the property adjacent to the north in accordance with a Plat of Survey that provides easements for all existing utilities.; and

WHEREAS, the Property is legally described as follows:

THE NORTH 50.00 FEET OF THE SOUTH 200.00 FEET OF THE WEST 234.00 FEET OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 14, TOWNSHIP 778 NORTH, RANGE 24 WEST OF THE 5TH P.M., 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

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proposal, shall be held at City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on April 1, 2024, at which time the City Council will hear both those who oppose and those who favor the proposal.

- 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 Gatto TO ADOPT.

SECOND BY Mandelbaum

FORM APPROVED:

/s/ Chas M. Cahill

Chas M. Cahill
Assistant City Attorney

(ZONG-2024-000005)

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

MOTION CARRIED

APPROVED

Connie Boesen Mayor

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.

Laura Baumgartner City Clerk