



Roll Call Number

24-1244

Agenda Item Number

36

Date September 16, 2024

RESOLUTION SETTING PUBLIC HEARING REGARDING REQUEST FROM RYAN RIVAS (OWNER), FOR PROPERTY LOCATED IN THE VICINITY OF 1760 EAST PARK AVENUE, TO REZONE THE PROPERTY FROM “N3A” NEIGHBORHOOD DISTRICT TO “P2” PUBLIC, CIVIC, AND INSTITUTIONAL DISTRICT, TO ALLOW THE PROPERTY TO BE ASSEMBLED WITH THE PROPERTY TO THE EAST THAT IS USED FOR AN “ASSEMBLY – PLACE OF WORSHIP” USE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on September 5, 2024, its members voted 10-0 in support of a motion to recommend **APPROVAL** of a request from Ryan J Rivas (Owner), for property located in the vicinity of 1760 East Park Avenue, to rezone the property from “N3a” Neighborhood District to “P2” Public, Civic, and Institutional District, to allow the property to be assembled with the property to the east that is used for an “Assembly – Place of Worship” use and determined the requested rezoning is in conformance with the PlanDSM: Creating Our Tomorrow Comprehensive Plan; and

WHEREAS, the Property is legally described as follows:

THAT PART OF LOT 9, SPOSETO HEIGHTS PLAT 4, AN OFFICIAL PLAT, LOCATED IN THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE EAST 90 FEET OF THE SOUTH 170 FEET OF SAID LOT 9; THENCE N 89° 38' 08" W, ALONG THE NORTH LINE OF THE SOUTH 170 FEET OF SAID LOT 9, A DISTANCE OF 331.98 FEET, TO THE WEST LINE OF SAID LOT 9; THENCE N 00° 10' 15" W, ALONG SAID WEST LINE OF LOT 9, A DISTANCE OF 582.43 FEET; THENCE S 89° 38' 08" E, A DISTANCE OF 331.25 FEET, TO THE EAST LINE OF SAID LOT 9; THENCE S 00° 14' 34" E, ALONG SAID EAST LINE OF LOT 9, A DISTANCE OF 582.44 FEET, TO THE POINT OF BEGINNING.

CONTAINING 4.43 ACRES (193,133 SQUARE FEET) MORE OR LESS.

SAID PARCEL IS SUBJECT TO ANY AND ALL RESTRICTIONS, COVENANTS AND EASEMENTS OF RECORD.

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

★ Roll Call Number

24-1244

Agenda Item Number

36

Date September 16, 2024

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 October 7, 2024, 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.

MOVED BY Gatto TO ADOPT. SECOND BY Voss

FORM APPROVED:

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

(ZONG-2024-000025)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include BOESEN, SIMONSON, VOSS, COLEMAN, WESTERGAARD, MANDELBAUM, GATTO, and TOTAL.

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.

MOTION CARRIED APPROVED
Connie Boeser Mayor

Laura Baumgartner City Clerk