



Roll Call Number

24-1444

Agenda Item Number

23

Date October 21, 2024

RESOLUTION SETTING PUBLIC HEARING REGARDING REQUEST FROM JC AM GROUP, LLC (OWNER), REPRESENTED BY JOHN CHENG (OFFICER), FOR PROPERTY LOCATED AT 1419 PENNSYLVANIA AVENUE, TO REZONE THE PROPERTY FROM “N3C” NEIGHBORHOOD DISTRICT TO LIMITED “N3C-2” NEIGHBORHOOD DISTRICT, TO ALLOW REUSE OF THE EXISTING STRUCTURE FOR A DUPLEX USE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on October 3, 2024, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from JC AM Group, LLC (Owner), represented by John Cheng (Officer), for property located at 1419 Pennsylvania Avenue, for the proposed rezoning from “N3c” Neighborhood District to Limited “N3c-2” Neighborhood 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 October 3, 2024, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from JC AM Group, LLC (Owner), represented by John Cheng (Officer), for property located at 1419 Pennsylvania Avenue, to rezone the property from “N3c” Neighborhood District to Limited “N3c-2” Neighborhood District, to allow reuse of the existing structure for a duplex use, subject to the following conditions:

1. The site shall be brought into conformance with the Maximum Impervious Area requirements of Chapter 135 to the satisfaction of the Planning and Design Administrator.; and
2. Any driveway in the front yard shall taper to meet the width of the drive approach at the public sidewalk, and in no case shall measure more than 16 feet in width, at any point within the front yard.; and

WHEREAS, the Property is legally described as follows:

LOT 13 IN CAPITAL PARK, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF 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 City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on November 4, 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

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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-2024-000029)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
SIMONSON	✓			
VOSS	✓			
COLEMAN	✓			
WESTERGAARD	✓			
MANDELBAUM	✓			
GATTO	✓			
TOTAL	7			
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