



Roll Call Number

24-1526

Agenda Item Number

37

Date November 4, 2024

RESOLUTION HOLDING 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.

WHEREAS, on October 21, 2024, by Roll Call No. 24-1444, it was duly resolved by the City Council that the request for approval of the proposed rezoning be set down for hearing on November 4, 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 proposal; and

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



Roll Call Number

24-1526

Agenda Item Number

37

Date November 4, 2024

WHEREAS, the applicant has requested that the public hearing on the request of rezoning and amendment be continued to November 18, 2024.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, the public hearing to consider the proposed rezoning of the Property located at 1419 Pennsylvania from "N3c" Neighborhood District to Limited "N3c-2" Neighborhood District is hereby opened and continued to the City Council meeting on November 18, 2024 at 5:00 p.m. in the Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa.

MOVED BY Westergaard TO ADOPT. SECOND BY Gatto

FORM APPROVED:

/s/ Chas M. Cahill

Chas M. Cahill
Assistant City Attorney

(ZONG-2024-000029)

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.

Connie Boesen Mayor

Laura Baumgartner City Clerk