



Roll Call Number

25-0150

Agenda Item Number

51

Date January 27, 2025

RESOLUTION HOLDING PUBLIC HEARING ON REQUEST FROM FAITHFUL MOMENTS, LLC (OWNER), REPRESENTED BY ADAM SIEREN (OFFICER) TO AMEND PLANDSM TO REVISE THE FUTURE LAND USE DESIGNATION AND TO REZONE THE PROPERTY LOCATED AT 5702 GRAND AVENUE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on December 19, 2024, its members voted 8-5 in support of a motion to recommend **DENIAL** of a request from Faithful Moments, LLC (Owner), represented by Adam Sieren (Officer), for the proposed rezoning from “N3c” Neighborhood District to “NX2” Neighborhood Mix District be found not 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 December 19, 2024, its members voted 8-5 in support of a motion to recommend **DENIAL** of a request from from Faithful Moments, LLC (Owner), represented by Adam Sieren (Officer), for the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation for the subject property from Low Density Residential to Low-Medium Density Residential; and

WHEREAS, the City Plan and Zoning Commission has further advised that at a public hearing held on December 19, 2024, its members voted 8-5 in support of a motion to recommend **DENIAL** of a request from Faithful Moments, LLC (Owner), represented by Adam Sieren (Officer), to rezone the Property from “N3c” Neighborhood District to “NX2” Neighborhood Mix District, to allow the redevelopment of the property for rowhome buildings; and

WHEREAS, the Property is legally described as follows:

LOT FIFTEEN (15) IN DIXON PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.; and

WHEREAS, on January 13, 2025, by Roll Call No. 25-0034, 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 January 27, 2025, 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

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:

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1. Upon due consideration of the facts, and any and all statements of interested persons and arguments of counsel, any objections to the proposed rezoning are hereby overruled, and the hearing is closed.

Alternative A

MOVED by _____ to DENY the proposed rezoning.

Second by _____

Alternative B

MOVED by Voss to continue the public hearing until February 10, 2025, at 5:00 p.m. in the Council Chambers at City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, and to direct the City Manager and Legal Department to prepare the necessary legislation to **APPROVE** the requested rezoning for Property from "N3c" Neighborhood District to "NX2" Neighborhood Mix District, to allow the redevelopment of the property for rowhome buildings, and determining the requested rezoning is in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan. Conditions to add are a maximum of 8 units and developer to provide

Second by Gatto additional guest parking. Staff will present stormwater management requirements at the February 10th meeting.

(NOTE – APPROVAL REQUIRES SIX VOTES DUE TO THE PLAN & ZONING COMMISSION RECOMMENDING DENIAL AND DUE TO OPPOSITION OF GREATER THAN 20% OF RELEVANT PROPERTY OWNERS)

FORM APPROVED:

/s/ Chas M. Cahill

Chas M. Cahill

Assistant City Attorney

(ZONG-2024-000037) (COMP-2024-000023)

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.

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

MOTION CARRIED

APPROVED

Connie Boesen

Mayor

Laura Baumgartner

City Clerk