



Roll Call Number

25-0370

Agenda Item Number

38

Date March 10, 2025

RESOLUTION HOLDING PUBLIC HEARING REGARDING REQUEST FROM GRACE METHODIST CHURCH (OWNER), REPRESENTED BY CLINT MARTIN (OFFICER), PROPERTY LOCATED AT 1070 37TH STREET, TO REZONE THE PROPERTY FROM “P2” PUBLIC, CIVIC AND INSTITUTIONAL DISTRICT TO “N5” NEIGHBORHOOD DISTRICT, TO ALLOW THE PROPERTY TO BE SUBDIVIDED FROM THE CHURCH PROPERTY FOR USE AS A ONE-HOUSEHOLD RESIDENCE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on February 6, 2025, its members voted 12-0-1 in support of a motion to recommend **APPROVAL** of a request from Grace Methodist Church (Owner), represented by Clint Martin (Officer), for property located at 1070 37th Street, to rezone the property from “P2” Public, Civic and Institutional District to “N5” Neighborhood District, to allow the property to be subdivided from the church property for use as a one-household residence 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:

ALL THAT PART OF LOTS 5 AND 6 IN GRACE CHURCH PLAT, AN OFFICIAL PLAT, INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 6, THENCE NORTH 89° 46’34” WEST ALONG THE SOUTH LINE OF SAID LOT 6, A DISTANCE OF 133.50 FEET; THENCE NORTH 00°05’21” EAST, A DISTANCE OF 50.65 FEET; THENCE NORTH 42°46’45” EAST, A DISTANCE OF 30.07 FEET; THENCE SOUTH 89°46’34” EAST, A DISTANCE OF 113.11 FEET TO THE EAST LINE OF SAID LOT 5; THENCE SOUTH 00°05’21”, WEST, A DISTANCE OF 72.80 FEET TO THE POINT OF BEGINNING, CONTAINING 9493 SQ FT, MORE OF LESS, AND SUBJECT TO ANY EASEMENTS AND RESTRICTRCTIONS OF RECORD.; and

WHEREAS, on February 24, 2025, by Roll Call No. 25-0266, it was duly resolved by the City Council that the request for approval of the proposed rezoning be set down for hearing on March 10, 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 proposed rezoning; and

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

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NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

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 of the Property are hereby overruled, and the hearing is closed.
2. The proposed rezoning of the Property, as legally described above, from "P2" Public, Civic and Institutional District to "N5" Neighborhood District, to allow the property to be subdivided from the church property for use as a one-household residence, is hereby found to be in conformance with the PlanDSM: Creating Our Tomorrow Land Use Plan and is hereby approved, subject to final passage of an ordinance rezoning the Property as set forth herein.

MOVED BY Mandelbaum TO ADOPT.

SECOND BY Voss

FORM APPROVED:

/s/ Chas M. Cahill

Chas M. Cahill

Assistant City Attorney

(ZONG-2024-000049)

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