



Roll Call Number

20-0675

Agenda Item Number

45

Date April 20, 2020

RESOLUTION HOLDING HEARING ON REQUEST FROM HOPE MINISTRIES CENTER FOR WOMEN AND CHILDREN TO AMEND PLANDSM FUTURE LAND USE DESIGNATION AND TO REZONE AND APPROVE PUD CONCEPTUAL PLAN FOR PROPERTY LOCATED AT 3800 EAST DOUGLAS AVENUE

WHEREAS, on February 24, 2020, by Roll Call No. 20-0362, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on February 6, 2020, its members voted 10-1 in support of a motion to recommend **APPROVAL** of a request from Hope Ministries Center for Women and Children (“Hope Ministries”)(applicant), represented by Leon Negen (officer), to amend the PlanDSM: Creating Our Tomorrow future land use designation for real property locally known as 3800 East Douglas Avenue (“Property”) from Public/Semi-Public to Medium Density Residential to allow rezoning to “PUD” Planned Unit Development; and

WHEREAS, on February 24, 2020, by Roll Call No. 20-0362, the City Council received a communication from the City Plan and Zoning Commission further advising that at a public hearing held on February 6, 2020, its members voted 10-1 in support of a motion to recommend **APPROVAL** of a request from Hope Ministries to rezone the Property from “R1-60” One-Family Low-Density Residential District to “PUD” Planned Unit Development, and to approve the “Hope Ministries Center for Women and Children” PUD Conceptual Plan for the Property, to allow the existing church building to be converted to a 50-bed short-term program and 50-bed long-term life support program for homeless women and children, including classroom, office, daycare, and similar supporting uses, subject to the following revisions to the PUD Conceptual Plan:

1. Any revisions necessary as part of the administrative final Mylar review to reflect final action by the City Council and to meet non-substantive staff comments for formatting and final documentation.
2. Provision of an additional note to fencing requirements that any future fencing added or to replace existing shall only be black clad chain link fencing or black decorative iron-type open fencing no greater than 6-feet in height or 6-foot tall solid wood fencing or architectural panels when required for screening; and

WHEREAS, on February 24, 2020, by Roll Call No. 20-0362, it was duly resolved by the City Council that request to amend the PlanDSM future land use designation and rezone the Property and for approval of the PUD Conceptual Plan, be set down for hearing on March 23, 2020 at 5:00 P.M., in the Council Chamber at City Hall; 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 amendment to the PlanDSM future land use designation and Zoning Ordinance; and

WHEREAS, on March 23, 2020, by Roll Call No. 20-0584, the City Council opened and continued said hearing to the April 20, 2020 Council meeting; and

WHEREAS, in accordance with said notice, those interested in said proposed amendment to PlanDSM future land use designation, rezoning, and PUD Conceptual Plan, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council; and



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WHEREAS, the Legal Department has prepared an amendment to the Zoning Ordinance of the City of Des Moines to rezone the Property locally known as 3800 East Douglas Avenue, legally described as:

LOT 1, EXCEPT THE NORTHWESTERLY 13.0 FEET LYING ADJACENT TO THE NORTHWEST LINE OF SAID LOT 1 (BEING ADJACENT TO HUBBELL AVENUE) AQUARIUS, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA. SAID TRACT OF LAND CONTAINS 5.49 ACRES MORE OR LESS

from "R1-60" One-Family Low-Density Residential District to "PUD" Planned Unit Development, to allow the existing church building to be converted to a 50-bed short-term program and 50-bed long-term life support program for homeless women and children, including classroom, office, daycare, and similar supporting uses.

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 amendment to the PlanDSM future land use designation or rezoning of the Property to "PUD" Planned Unit Development District, and any objections to the proposed "Hope Ministries Center for Women and Children" PUD Conceptual Plan with revisions as set forth above, are hereby overruled, and the hearing is closed.
2. The proposed amendment to the PlanDSM: Creating Our Tomorrow Plan for the property locally known as 3800 East Douglas Avenue to Medium Density Residential is hereby approved.
3. The proposed rezoning of the Property, as legally described above, to "PUD" Planned Unit Development District, is hereby approved, subject to final passage of an ordinance rezoning the Property as set forth herein.
4. The proposed "Hope Ministries Center for Women and Children" PUD Conceptual Plan, as on file in the Community Development Department, 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, and subject to the revisions to the PUD Conceptual Plan as set forth above, and subject to the Community Development Director finding that such revisions have been satisfied by amendments to the Plan.

MOVED BY Westergaard TO ADOPT.

FORM APPROVED:

/s/Glenna K. Frank
Glenna K. Frank, Assistant City Attorney

(21-2019-4.25)
(ZON2019-00236)

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

CERTIFICATE

I, P. KAY CMELIK, 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.

Handwritten signature of J. M. Frankin Cownie, Mayor

Handwritten signature of P. Kay Cmelik, City Clerk