

★ **Roll Call Number**

.....23-1321.....

**Agenda Item Number**

.....31.....

**Date** .....October 2, 2023.....

**RESOLUTION SETTING HEARING ON REQUEST FROM LUTHERAN SERVICES OF IOWA, INC. (OWNER), REPRESENTED BY DAN DEAN (OFFICER) TO AMEND PLANDSM TO REVISE THE FUTURE LAND USE DESIGNATION AND TO REZONE THE PROPERTY LOCATED AT 3125 COTTAGE GROVE AVENUE**

**WHEREAS**, the City Plan and Zoning Commission will hold a public hearing on October 5, 2023, on a request from Lutheran Services of Iowa, Inc. (Owner), represented by Dan Dean (Officer), for the proposed rezoning from “EX” Mixed Use District to “CX” Mixed Use District be found not in conformance with the current PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation of Low Density Residential; to amend the PlanDSM: Creating Our Tomorrow future land use designation for Property located at 3125 Cottage Grove Avenue from Low Density Residential to Neighborhood Mixed Use; to rezone the Property from “N5” Neighborhood District to “RX1” Mixed Use District, to allow a minor expansion of an existing parking lot, and determine the requested rezoning is in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan:

**WHEREAS**, the Property is legally described as follows:

**LOTS 15, 17, 18, AND THE WEST 60 FEET OF LOT 22 ALL IN LYONS PARK PLAT NO. 2, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.**

**WHEREAS**, the City Plan and Zoning Commission will provide a recommendation to City Council on the request from Lutheran Services of Iowa, Inc. (Owner), represented by Dan Dean (Officer) following the Commission public hearing to be held on October 5, 2023, prior to the October 23, 2023 City Council meeting in which such request will be heard and considered by the City Council.

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

1. That the meeting of the City Council at which the proposed amendment to the comprehensive plan future land use designation and proposed rezoning are to be considered, and at which time the City Council will hear both those who oppose and those who favor the proposals, shall be held at 5:00 p.m. on October 23, 2023 in the Council Chambers, City Hall, 400 Robert D. Ray, Drive, Des Moines.
2. That the City Clerk is hereby authorized and directed to cause notice of said proposals in the 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.

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MOVED BY Gatto TO ADOP.  
 SECOND BY Boesen

FORM APPROVED:

/s/ Chas M. Cahill  
 Chas M. Cahill  
 Assistant City Attorney

(ZONG-2023-000059)(COMP-2023-000035)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			

MOTION CARRIED

APPROVED

J. M. Frankin Cownie 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