



Roll Call Number

15-1549

Agenda Item Number

59B

Date September 14, 2015

RESOLUTION HOLDING HEARING ON REQUEST FROM EPC, LLC TO REZONE PROPERTY LOCATED AT 905 WALKER STREET FROM "R1-60" ONE-FAMILY LOW-DENSITY RESIDENTIAL DISTRICT TO "R-2" TWO FAMILY RESIDENTIAL DISTRICT

WHEREAS, on August 24, 2015, by Roll Call No. 15-1432, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on August 6, 2015, its members voted 11-0 in support of a motion to recommend **APPROVAL** of a request from EPC, LLC (owner), represented by Brad Lowe (officer), to rezone property located at 905 Walker Street ("Property") from "R1-60" One-Family Low-Density Residential District to "R-2" Two Family Residential District to allow occupancy of the existing dwelling as a two-family dwelling; and

WHEREAS, on August 24, 2015, by Roll Call No. 15-1432, it was duly resolved by the City Council that the application of EPC, LLC (owner) to rezone the Property, as legally described below, be set down for hearing on September 14, 2015 at 5:00 p.m. in the Council Chambers 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 Zoning Ordinance; 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; and

WHEREAS, the Legal Department has prepared an amendment to the Zoning Ordinance of the City of Des Moines to rezone the Property located at 905 Walker Street, legally described as:

Lot 16 in Block 2 in STEWART'S ADDITION to the City of Des Moines, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa

from "R1-60" One-Family Low-Density Residential District to "R-2" Two Family Residential District to allow occupancy of the existing dwelling as a two-family dwelling.

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 to "R-2" Two Family Residential District are hereby overruled, and the hearing is closed.
2. The proposed rezoning of the Property to "R-2" Two Family Residential District is hereby approved, subject to final passage of an ordinance rezoning the Property as set forth herein.

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-2-

MOVED BY Mahaffey TO ADOPT.

FORM APPROVED:

Glenna K. Frank

Glenna K. Frank, Assistant City Attorney

(ZON2015-00129)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	7			
MOTION CARRIED			APPROVED	

CERTIFICATE

I, DIANE RAUH, 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.

Diane Rauh

City Clerk

T. M. Franklin Council Mayor