

Date October 3, 2022

RESOLUTION HOLDING PUBLIC HEARING REGARDING REQUEST FROM COLE LOPEZ AND LIA GUERRA (OWNERS), FOR PROPERTY LOCATED AT 2800 BRATTLEBORO AVENUE, TO REZONE THE PROPERTY FROM “N5” NEIGHBORHOOD DISTRICT TO “N5-2” NEIGHBORHOOD DISTRICT TO ALLOW REUSE OF THE EXISTING STRUCTURE FOR DUPLEX USE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on September 1, 2022, its members voted 13-0 in support of a motion to recommend **APPROVAL** of a request from Cole Lopez and Lia Guerra (Owners), to rezone the Property from “N5” Neighborhood District to “N5-2” Neighborhood District, to allow reuse of the existing structure for duplex use, and determined the requested rezoning is in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan:

WHEREAS, the Property is legally described as follows:

Lot 51 in Kingman Place, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa.

WHEREAS, on September 12, 2022, by Roll Call No. 22-1414, 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 October 3, 2022, 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:

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 and rezoning are hereby overruled, and the hearing is closed.
2. The proposed rezoning of the Property, as legally described above, from “N5” to “N5-2”, to allow reuse of the existing structure for duplex use, is hereby approved, subject to final passage of an ordinance rezoning the Property as set forth herein.



Roll Call Number

22-1562

Agenda Item Number

59

Date October 3, 2022

MOVED BY Mandelbaum TO ADOPT. SECOND BY Sheumaker

FORM APPROVED:

/s/ Gary D. Goudelock Jr.

Gary D. Goudelock Jr.
Assistant City Attorney

(ZONG-2022-000071)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
SHEUMAKER	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

T. M. Franklin 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