



Roll Call Number

22-1925

Agenda Item Number

56

Date December 12, 2022

RESOLUTION HOLDING PUBLIC HEARING REGARDING REQUEST FROM ALEJANDRO J. MUNOZ DE LA CRUZ, FOR PROPERTY LOCATED AT 1117 26TH STREET, TO REZONE THE PROPERTY FROM “N5” NEIGHBORHOOD DISTRICT TO “N5-2” NEIGHBORHOOD DISTRICT, TO ALLOW REUSE OF THE EXISTING STRUCTURE FOR A DUPLEX USE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on November 3, 2022, its members voted 10-0 in support of a motion to recommend **APPROVAL** of a request from Alejandro J. Munoz De La Cruz, for property located at 1117 26th Street, to rezone the property from “N5” Neighborhood District to “N5-2” Neighborhood District, to allow reuse of the existing structure for a duplex use and determined the requested rezoning is in conformance with the PlanDSM: Creating Our Tomorrow Comprehensive Plan; and

WHEREAS, on November 21, 2022, by Roll Call No. 22-1796, it was duly resolved by the City Council that the request to rezone the Property be set down for hearing on November 21, 2022, at 5:00 P.M., in the 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; 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 1117 26th Street and legally described as follows:

Lot 32 in DRAKE UNIVERSITY SECOND ADDITION, an Official Plat now included in and forming part of the City of Des Moines, Polk County, Iowa

From “N5” Neighborhood District to “N5-2” Neighborhood District, to allow reuse of the existing structure for a duplex use.

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.

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2. The proposed rezoning of the Property, as legally described above, to “N5-2”, is hereby found to be in conformance with the PlanDSM: Creating Our Tomorrow Land Use Plan and is approved, and final passage of an ordinance rezoning the Property as set forth herein.

MOVED BY Sheumaker TO ADOPT. SECOND BY Voss.

FORM APPROVED:

/s/ Gary D. Goudelock Jr.
 Assistant City Attorney

(ZONG-2022-000093)

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

T.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