



Date August 8, 2016

**RESOLUTION HOLDING HEARING ON REQUEST FROM CORE CORP. TO REZONE PROPERTY LOCATED AT 120-133 HUGHES AVENUE**

**WHEREAS**, on July 25, 2016, by Roll Call No. 16-1199, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on July 7, 2016, its members voted 11-0 in support of a motion to recommend **APPROVAL** of a request from Core Corp. (owner), represented by John and Charlene Fritzel (officers), to rezone property located at 120-133 Hughes Avenue ("Property") from "R-2" One- and Two-Family Residential District to Limited "R-3" Multiple-Family Residential District, to allow assemblage of the parcels containing six (6) existing two-family dwellings and an off-street parking lot, subject to the following conditions:

1. All parcels within the Property shall be combined into a single parcel;
2. There shall be no more than 12 residential units configured within six (6) two-family dwellings on the Property; and
3. Any off-street parking shall conform to a Site Plan reviewed by the Permit and Development Center in accordance with the Site Plan Ordinance and any relief granted by the Zoning Board of Adjustment; 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 locally known as 120-133 Hughes Avenue, legally described as:

Lots 4 through 10, BROOKMONT CIRCLE ESTATES, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa

from "R-2" One and Two-Family Residential District to Limited "R-3" Multiple-Family Residential District to allow assemblage of the parcels containing six (6) existing two-family dwellings and an off-street parking lot, subject to the conditions stated above as agreed to and accepted by execution of an Acceptance of Rezoning Ordinance in writing by the owner of the Property, which is binding upon the owner and its successors, heirs and assigns.

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



**Roll Call Number**

**Agenda Item Number**

46B

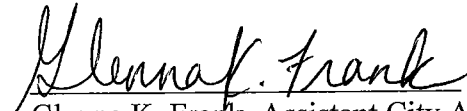
**Date** August 8, 2016

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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 Limited "R-3" Multiple-Family Residential District with conditions as set forth above, are hereby overruled, and the hearing is closed.
2. The proposed rezoning of the Property to Limited "R-3" Multiple-Family Residential District with conditions as set forth above, is hereby approved, subject to final passage of an ordinance rezoning the Property as set forth herein.

MOVED BY \_\_\_\_\_ TO ADOPT.

FORM APPROVED:

  
 Glenna K. Frank, Assistant City Attorney

(ZON2016-00101)

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE         |      |      |      |        |
| COLEMAN        |      |      |      |        |
| GATTO          |      |      |      |        |
| GRAY           |      |      |      |        |
| HENSLEY        |      |      |      |        |
| MOORE          |      |      |      |        |
| WESTERGAARD    |      |      |      |        |
| TOTAL          |      |      |      |        |

MOTION CARRIED

APPROVED

\_\_\_\_\_  
Mayor

**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.

\_\_\_\_\_  
City Clerk