



Roll Call Number

22-1414

Agenda Item Number

34

Date September 12, 2022

RESOLUTION SETTING PUBLIC HEARING REGARDING REQUEST FROM COLE LOPEZ AND LIA GUERRA (OWNERS), FOR PROPERTY LOCATED AT 2800 BATTLEBORO 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) for property located at 2800 Battleboro Avenue, 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; and

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.

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

1. That the attached communication from the Plan and Zoning Commission is hereby received and filed.
2. That the meeting of the City Council at which the proposed rezoning is 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 in the Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on October 3, 2022, at which time the City Council will hear both those who oppose and those who favor the proposals.
3. That the City Clerk is hereby authorized and directed to cause notice of said proposal 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 ADOPT. SECOND BY Boesen

FORM APPROVED:

/s/ 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			

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.

T.M. Frankin Cownie Mayor

Laura Baumgartner City Clerk