

.....  
**Date**..... September 24, 2007

WHEREAS, at its meeting on October 4, 2007, the Plan and Zoning Commission is scheduled to consider a request from Curly Top, LLC (developer) represented by John Mauro (officer) to rezone property located at 1900 SE 6<sup>th</sup> Street from a Limited "R-3" Multiple-Family Residential District to an amended Limited "R-3" Multiple-Family Residential District classification, to remove the existing zoning condition requiring a rezoning to the Planned Unit Development District before construction of any habitable structure upon the property, to allow up to 80 units of senior apartments; and,

WHEREAS, the City Manager has consented to asking the City Council to schedule the public hearing before receipt of the report and recommendation from the Plan and Zoning Commission.

The subject property is owned by the South Des Moines Little League, Inc. and is more specifically described as follows:

(Except the beginning southeast corner; Thence northwesterly 159.66 feet north 60.80 feet east 57 feet northeasterly 142.28 feet east 50 feet and south 234.05 feet to the Point of Beginning) East 165 feet north of Hillside Avenue Lot 3 Sevastopol, all now included 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 meeting of the City Council at which the proposed rezoning is to be considered shall be held in the Council Chambers at 5:00 p.m. on October 8, 2007, at which time the City Council will hear both those who oppose and those who favor the proposal.
2. 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.

(Council Communication No. 07-587)

( continued )

★ Roll Call Number

Agenda Item Number  
25

.....  
September 24, 2007  
Date .....

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MOVED by \_\_\_\_\_ to adopt.

FORM APPROVED:

Roger K. Brown  
Roger K. Brown  
Assistant City Attorney

(ZON2007-00162)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				
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.

\_\_\_\_\_ Mayor

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