

★ Roll Call Number
08-1687

Agenda Item Number
46 B

Date September 22, 2008

WHEREAS, on September 8, 2008, by Roll Call No. 08-1579, it was duly resolved by the City Council that the application of Ryan Galloway, to rezone certain property owned by him and located in the vicinity of 1045 19th Street, more fully described below, be set down for hearing on September 22, 2008, at 5:00 P.M., in the Council Chambers at City Hall; and,

WHEREAS, due notice of said hearing was published in the Des Moines Register on September 11, 2008, 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 following described property:

~~Lots 36 through 41, in Butler's Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa~~

from the R-3 Multiple Family Residential District to NPC Neighborhood Pedestrian Commercial District classification, subject to the following conditions which are agreed to and accepted by execution of an Acceptance of Rezoning Ordinance in writing by all owners of said property which is binding upon the owners and their successors, heirs and assigns as follows:

- A. Use of the property is restricted to residential
- B. Provision of a minimum of 1 off-street parking stall per dwelling unit. The Commission shall have the right to require additional parking during site plan review.

(continued)

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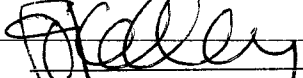
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NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that upon due consideration of the facts, statements of interested persons and arguments of counsel, the objections to the proposed rezoning of the Property to an NPC District are hereby overruled, and the hearing is closed.

MOVED by Kiernan to adopt and approve the rezoning, subject to final passage of the rezoning ordinance.

FORM APPROVED:


Michael F. Kelley
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			

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.

Diane Rauh City Clerk

MOTION CARRIED APPROVED
T. M. Franklin
Mayor