

★ Roll Call Number
08-1693

Agenda Item Number
48

Date September 22, 2008

WHEREAS, on July 14, 2008 by Roll Call No. 08-1275, the City Council initiated the rezoning of a portion of the Riverbend Neighborhood to an R1-60 One-Family Low Density Residential District; and,

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on August 21, 2008, its members voted 14-0 in support of a motion to recommend **APPROVAL** of the rezoning of that portion of the Riverbend Neighborhood described in Exhibit "A" and depicted on the map in Exhibit "B", from the "R-3" Multiple Family Residential District and "M-1" Light Industrial District to the "R1-60" One-Family Low-Density Residential District; and,

WHEREAS, on September 8, 2008, by Roll Call No. 08-1580, it was duly resolved by the City Council that the above-described rezoning 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 property described in Exhibit "A" from "R-3" Multiple Family Residential District and "M-1" Light Industrial District to the "R1-60" One-Family Low-Density Residential District.

(continued)

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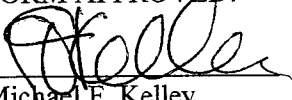
NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

1. Upon due consideration of the facts, statements of interested persons and arguments of counsel, the objections to the proposed rezoning of the Property to the R1-60 One-Family Low-Density Residential District are hereby overruled, and the hearing is closed.
2. The proposed rezoning is hereby found to be in conformance with the Des Moines 2020 Community Character Land Use Plan.

MOVED by Vlassis to adopt and approve the rezoning, subject to final passage of the rezoning ordinance and to deleting from the rezoning the properties located at 1243 7th Street and 1804 Arlington Street, and subject to amending the rezoning for 1233 7th Street to Limited R-3 classification that is restricted to single-family or two-family uses.

(Council Communication No. 08-579)

FORM APPROVED:


Michael F. Kelley
Assistant City Attorney

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


MOTION CARRIED APPROVED


Y. M. Franklin
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.


Diane Fauh
City Clerk