

★ Roll Call Number

09-1746

Agenda Item Number

19

Date September 28, 2009

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on September 17, 2009, its members voted 9-0 in support of a motion to recommend **DENIAL** of a request from Giuseppe Falbo (owner) to find the proposed rezoning not in conformance with the current Des Moines' 2020 Community Character Plan and to rezone property located at 1602 M. L. King Jr. Parkway, from R1-60 One-Family Low-Density Residential District to R-2 Two-Family Residential District, to allow the property to be converted to a two-family dwelling.

The subject property is more specifically described as follows:

Lots 4, 5, 6 and East 42 Feet of Lots 7, 8 and 9, Block 2; and Lot A and East 42 Feet Lot C, Block 7, Shepherds Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk and Warren 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, City Hall, Des Moines, Iowa at 5:00 p.m. on October 12, 2009, 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.

MOVED by Coleman to adopt.

FORM APPROVED:

Michael F. Kelley
 Michael F. Kelley
 Assistant City Attorney

(ZON2009-00142)

| 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.

T. M. Franklin
 T. M. Franklin
 Mayor

Diane Rauh
 Diane Rauh
 City Clerk