



Roll Call Number

09-2313

Agenda Item Number

45

Date December 21, 2009

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on November 19, 2009, its members voted 8-0 in support of a motion to recommend DENIAL of a request from Andy Lee (owner) to rezone property located at 614 37th Street, from R1-60 One-Family Low-Density Residential District to NPC Neighborhood Pedestrian Commercial District.

The subject property is more specifically described as follows:

Lot 32, Rhoads Heights, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk and Warren County, Iowa.

WHEREAS, on December 7, 2009 by Roll Call No. 09-2182 the City Council duly resolved to hold a public hearing on the proposed rezoning in Council Chambers, City Hall, Des Moines, Iowa, at 5:00 p.m. on December 21, 2009; and

WHEREAS, notice of the hearing was published according to law in the Des Moines Register on December 10, 2009, setting forth the time and place for the proposed amendment to the Zoning Ordinance; and

WHEREAS, pursuant to the notice, those interested in the proposed rezoning, for and against, have been given opportunity to be heard and have presented their views to City Council.

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 hearing is closed, the objections to the proposed rezoning of the property located at 614 37th Street to NPC Neighborhood Pedestrian Commercial District are hereby sustained, and the proposed rezoning is hereby DENIED.

Moved by Hensley to deny.

APPROVED AS TO FORM:

Michael F. Kelley
Assistant City Attorney

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Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, HENSLEY, KIERNAN, MAHAFFEY, MEYER, VLASSIS, and 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.

7. M. Franklin Cownie Mayor

Diane Rauh City Clerk