

★ Roll Call Number

14-163D

Agenda Item Number

19-F

Date October 20, 2014

RESOLUTION SETTING DATE OF HEARING ON REQUEST FROM CURLY TOP, LLC (PURCHASER), REPRESENTED BY TIM MAURO (OFFICER), TO REZONE PROPERTY LOCATED AT 2455 MARTIN LUTHER KING, JR. PARKWAY FROM "C-2" GENERAL RETAIL AND HIGHWAY-ORIENTED COMMERCIAL DISTRICT AND "M-3" LIMITED INDUSTRIAL DISTRICT TO "R-4" HIGH DENSITY RESIDENTIAL DISTRICT

WHEREAS, the City Plan and Zoning Commission will hold a public hearing on November 6, 2014, regarding a request from Curly Top, LLC (purchaser), represented by Tim Mauro (officer), to rezone property located at 2455 Martin Luther King Jr. Parkway ("Property") and owned by Arthur and Sandra Anderson, from "C-2" General Retail and Highway-Oriented Commercial District and "M-3" Limited Industrial District to "R-4" High Density Residential District, to allow a four-story 55-unit multiple-family senior living apartment building; and

WHEREAS, the recommendation of the Plan and Zoning Commission will be forwarded to Council for receipt following said public hearing; and

WHEREAS, the Property is legally described as follows:

Parcel F, Book 7741 Page 716, being part of Lot 21 in the Official Plat of the East Half of the Northwest Quarter and the Southwest Quarter of the Southeast Quarter and Government Lots 3, 4, 5 and 6 of Section 28, Township 79, Range 24, all now included in 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, City Hall, Des Moines, Iowa, at 5:00 p.m. on November 17, 2014, 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 Hensley to adopt.

FORM APPROVED:

Glenna K. Frank

Glenna K. Frank, Assistant City Attorney

Sponsor: Council Member Bill Gray

(ZON2014-00199)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MAHAFFEY, MOORE, and TOTAL. Total yeas is 7.

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.

Diane Rauh

City Clerk