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Date January 5, 2009

WHEREAS, on January 15, 2009, the City Plan and Zoning Commission will consider a request from Hubbell Realty Company (developer) represented by Steve Niebuhr (officer) to rezone property located at 5525 SE 14<sup>th</sup> Street from Limited "R-3" Multiple-Family Residential District to "R-3" Multiple-Family Residential District, removing the limitation of senior residential housing on multiple-family dwellings and allowing for up to 240 multiple-family residential dwellings.

The subject property is more specifically described as follows:


Except the West 400 feet, and except the East 510 feet of the South 538.64 feet, and Except the South 4.5 feet of the East 240.75 feet of the West 1033.5 feet – the South 25 acres of Lot 5, Official Plat of the Northwest Quarter of Section 26, Township 78 North, Range 24 West of the 5<sup>th</sup> P.M.; and, except the West 30 feet and except the East 10.2 feet – Lot 7, Capitol View Acres, an Official Plat, all now included in an 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 January 26, 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.

**(Council Communication No. 09-010)**

FORM APPROVED:

  
 \_\_\_\_\_  
 Michael F. Kelley  
 Assistant City Attorney

Moved by \_\_\_\_\_ to adopt

(ZON2008-00191)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				
MOTION CARRIED		APPROVED		
_____ 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.

\_\_\_\_\_ City Clerk

Hubbell Realty Company - 5525 SE 14th Street

ZON2008-00191

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