

Date..... October 22, 2007

WHEREAS, on October 8, 2007, by Roll Call No. 07-1942, it was duly resolved by the City Council that the application of LeMar Koethe, to rezone certain property he owns which is located between East Payton Avenue and East Army Post Road, from Indianola Ave through the 2900 Block of East Payton Avenue; and between East Payton Avenue and East Porter Avenue/East Caulder Avenue from the 2700 Block through the 2900 Block, more fully described in the accompanying ordinance, be set down for hearing on October 22, 2007, 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 October 11, 2007, 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 subject property from the "R1-80" One-Family Residential District to a Limited "C-1" Neighborhood Retail Commercial District, a Limited R-3" Multiple-Family Residential District, and a Limited "R1-70" One-Family Low-Density Residential District classification, subject to a number of conditions which have been agreed to and accepted by execution of the accompanying Acceptance of Rezoning Ordinance by all owners of the property and is binding upon the owners and their successors, heirs and assigns.

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 a Limited "C-1" Neighborhood Retail Commercial District, a Limited R-3" Multiple-Family Residential District, and a Limited "R1-70" One-Family Low-Density Residential District are hereby overruled, and the hearing is closed.

( continued )

★ Roll Call Number

Agenda Item Number

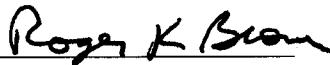
47B

Date October 22, 2007

2. The proposed rezoning is hereby found to be in conformance with the Des Moines 2020 Community Character Land Use Plan.

MOVED by \_\_\_\_\_ to adopt and approve the rezoning, subject to final passage of the rezoning ordinance.

FORM APPROVED:



Roger K. Brown

Assistant City Attorney

G:\SHARED\LEGAL\BROWN\WORK\REZONING\Koethe.doc

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

2007 00140

Date 9/13/07 47B

I  (am) (am not) in favor of the request.  
(Circle One)



RECEIVED Print Name JASON JENKINS

SEP 17 2007 Signature

COMMUNITY DEVELOPMENT DEPARTMENT

2911 E Diehl Ave 50320

Reason for opposing or approving this request may be listed below:

Four horizontal lines for writing a reason for opposing or approving the request.

2007 00140

Date Sept: 11, 2007

I  (am) (am not) in favor of the request.  
(Circle One)



RECEIVED

Print Name Eva L Mercer

SEP 13 2007

Signature Eva L Mercer

COMMUNITY DEVELOPMENT DEPARTMENT

Address 5801 2E 24th St. # 86

Reason for opposing or approving this request may be listed below:

I approve any new homes or bussines,  
but we need to have an controlled  
intersection at  
Indiana and Payton  
3way stop or lights  
Thank You!

2007 00140

Date

I  (yes) ( ) (no) in favor of the request.

**RECEIVED**

SEP 14 2007

Print Name

Tim Gerald

COMMUNITY DEVELOPMENT DEPARTMENT

Signature: *Tim Gerald*

Address: 2704 Shoreview Cir

Reason for opposing or approving this request may be listed below:

Empty lines for providing reasons for opposing or approving the request.

2007 00140

Date 9/13/07

I  (yes) ( ) (no) in favor of the request.

**RECEIVED**

SEP 14 2007

Print Name

CASEY'S MARKETING COMPANY

COMMUNITY DEVELOPMENT DEPARTMENT

Signature

*Casey's Marketing Company*

Address

Kelly Road, Agent  
1 SE Convenience Blvd  
Ankeny, IA 50021

Reason for opposing or approving this request may be listed below:

(Casey's General Store 2150 E Army Post Rd)

Empty lines for providing reasons for opposing or approving the request.

Item: 2007 00140

Date: 9-11-07

47b

( )  in favor of the request.

7924-25-951-1  
354-1

(Circle One)

RECEIVED ✓?

Print Name: Jeff Grubb

SEP 13 2007

Signature: Jeff Grubb

COMMUNITY DEVELOPMENT  
DEPARTMENT

Address: 3301 106<sup>th</sup> CR

Reason for opposing or approving this request may be listed below:

The map included does not show the parcel changes. I will reserve our right to vote against when I see more detail.

7924-25-307

2007 00140

Date 9-13-07

I (am)  (am not) in favor of the request.  
(Circle One)

RECEIVED  
SEP 17 2007  
COMMUNITY DEVELOPMENT  
DEPARTMENT

Print Name Nolan Etter

Signature Nolan Etter

Address 2520 E Payton Ave.

Reason for opposing or approving this request may be listed below:

With aptx + multi family living will drop  
the value of our homes + the ones  
that is already built. Single dwelling  
homes would be better.  
We don't want low housing, as they  
won't take care of their property.

2007 00140

Date 9-11-07

I (am)  (am not) in favor of the request.  
(Circle One)

RECEIVED  
SEP 16 2007  
COMMUNITY DEVELOPMENT  
DEPARTMENT

Print Name Ed Spitzer

Signature Edward J. Spitzer

Address 2712 Shoreview Circle

Reason for opposing or approving this request may be listed below:

I oppose this request due to the  
fact it is very vague in nature.  
The lack of a plan has me  
concerned as to what this property  
is actually going to be used for.

Item 2007 00140

Date

I (  ) (  ) in favor of the request.

(Circle One)

RECEIVED

SEP 18 2007

COMMUNITY DEVELOPMENT  
DEPARTMENT

Print Name

TOM CATLIN

Signature

*[Handwritten Signature]*

Address

2805 E Diehl Ave

Reason for opposing or approving this request may be listed below:

*Commercialization - crime*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Item 2007 00140

Date 9/12/07

I (  ) (  ) in favor of the request.

(Circle One)

RECEIVED

SEP 14 2007

COMMUNITY DEVELOPMENT  
DEPARTMENT

Print Name

Amy Ramsey

Signature

*[Handwritten Signature]*

Address

2874 E. Diehl

Reason for opposing or approving this request may be listed below:

*If it increases traffic on Indianola and overcrowds the area. People are having trouble selling houses in our area - this would only add to the problem.*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Case 2007 00140

Date 9-12-07

I (am)  (am not) in favor of the request.

(Circle One)

RECEIVED

SEP 14 2007

COMMUNITY DEVELOPMENT DEPARTMENT

Print Name

Toby T. Johnson

Signature

Toby T. Johnson

Address

5519 SE 29th Ct DSM, IA 50320

Reason for opposing or approving this request may be listed below:

We do not want to live in such an overdeveloped area - We moved here because it was "residential"

Case 2007 00140

Date 9-13-07

I (am)  (am not) in favor of the request.

(Circle One)

RECEIVED

SEP 14 2007

COMMUNITY DEVELOPMENT DEPARTMENT

Print Name

Thelma Welch

Signature

Thelma Welch

Address

5610 SE 30th

Reason for opposing or approving this request may be listed below:

Too much development already in this area, need more natural habitat!!



Item 2007 00140

Date 9-17-07 47B

I (am)  (am not) in favor of the request.  
(Circle One)

**RECEIVED**  
SEP 18 2007  
COMMUNITY DEVELOPMENT  
DEPARTMENT

Print Name Amber Brown  
Signature Amber Brown  
Address 3000 E Southlawn Dr

Reason for opposing or approving this request may be listed below:

The city offered tax abatements to establish single family revitalization on the South Side. Allowing more multi family units will hurt the existing home values and do little to change the demographics of the South Side. In essence negating the tax abatement purpose. Why more retail? This will only further degrade existing South Side retail centers.

Item 2007 00140

Date 9-14-07

I (am)  (am not) in favor of the request.  
(Circle One)

**RECEIVED**  
SEP 19 2007  
COMMUNITY DEVELOPMENT  
DEPARTMENT

Print Name Chad Richards  
Signature [Signature]  
Address 5732 SE 30th St

Reason for opposing or approving this request may be listed below:

[Blank lined area for text]



Item 2007 00140

Date 13 SEP 07

I ( am ) ( ~~am not~~ ) in favor of the request.

(Circle One) RECEIVED

SEP 14 2007

COMMUNITY DEVELOPMENT DEPARTMENT

Print Name DILLON KEPNER

Signature *Dillon M. Kepner*

Address 5739 SE 35th ST

Reason for opposing or approving this request may be listed below:

Empty lines for providing reasons for opposing or approving the request.

Item 2007 00140

Date 09/15/2007

I ( am ) ( ~~am not~~ ) in favor of the request.

(Circle One)

RECEIVED

SEP 18 2007

COMMUNITY DEVELOPMENT DEPARTMENT

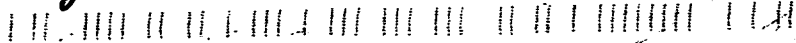
Print Name Jonathan B. Hancock

Signature *Jonathan B. Hancock*

Address 5743 SE 30 ST, Des Moines, IA 50322

Reason for opposing or approving this request may be listed below:

*Too many subdivisions and houses presently. Would destroy the beauty and nature of the area and especially Easter Lane Park. It would increase traffic on Indiana which is already a problem. It would also overload streets in the area that are not suited for any more growth. I strongly oppose this development and encourage further protection of these properties.*



2007 00140

Date 9-15-07

( ) ( ) in favor of the request.

(Circle One)

RECEIVED  
SEP 18 2007  
COMMUNITY DEVELOPMENT  
DEPARTMENT

Print Name Julie Larson  
Signature Julie Larson  
Address 2927 E Hart

Reason for opposing or approving this request may be listed below:

I don't think the current infrastructure  
could handle high density housing. Indiana Rd  
has to be the worst maintained road on the south-side  
for the amount of traffic using it. Since there is  
already problems with storm runoff, I think a  
survey of water drainage in the area is in order.

2007 00140

Date 9-15-07

( ) ( ) in favor of the request.

(Circle One)

RECEIVED  
SEP 25 2007  
COMMUNITY DEVELOPMENT  
DEPARTMENT

Print Name RUTH CARSON  
Signature Ruth Carson  
Address 5801-SE 4th #96

Reason for opposing or approving this request may be listed below:

I think we have enough Multi family  
units now! Single family or light  
Retail would be better for the area.

DH 50326

47B

2007 00140

Date SEPT. 17, 2007

I (am)  (am not) in favor of the request.  
(Circle One)

OUTSIDE 250'

RECEIVED

Print Name M. LOOMIS

SEP 18 2007

Signature [Signature]

COMMUNITY DEVELOPMENT DEPARTMENT

Address 6535 SE 45th St.

Reason for opposing or approving this request may be listed below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2007 00140

Date 9-18-07

I (am)  (am not) in favor of the request.  
(Circle One)

RECEIVED

OCT 01 2007

COMMUNITY DEVELOPMENT DEPARTMENT

Print Name Joe Henry

Signature [Signature]

Address 2463 E. Highview Dr.

Reason for opposing or approving this request may be listed below:

I am not in favor of multi-family zoning in this area. We already have enough condos and apartments.

[Signature]