

Date November 10 2008

WHEREAS, on October 27, 2008, by Roll Call No. 08-1845, it was duly resolved by the City Council that the application for Stratford Hold, LLC, to rezone certain property located in the vicinity of 1930 Indianola Avenue be set down for hearing on November 10, 2008, at 5:00 p.m. in the City Council Chambers at City Hall. The legal description is:

(Except Street) - Lots 8 thru 12. East of Line beginning 170.9 feet SW of SE corner Lot 8 thence Northwesterly 184.7 feet North line Lot 12 First Plat of Clifton Heights, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

WHEREAS, due notice of said hearing was published in the Des Register on October 30, 2008, as provided by law, setting forth the time and place for hearing on said proposed amendment to the Zoning Ordinance; and

WHEREAS, Iowa Code Section 415.4 requires that the property owner agree in writing to additional conditions to existing zoning regulations before the hearing on the limited rezoning. The Plan and Zoning Commission has recommended several such conditions; and

WHEREAS, the person authorized by the property owner to execute the Acceptance of Rezoning Ordinance containing the additional conditions is absent from the country and is unable to execute the Acceptance before the Council hearing on November 10, 2008. A representative from his office has requested that the initial hearing be postponed until the City Council meeting of November 24, 2008.

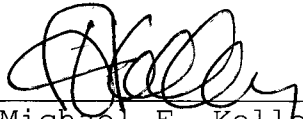
NOW THEREFORE BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that upon due consideration of the facts, the initial hearing on the proposed rezoning at 1930 Indianola

Date November 10 2008

Avenue is hereby postponed until the meeting of the City Council on November 24, 2008, at 5:00 p.m. in the Council Chambers at City Hall.

Moved by \_\_\_\_\_ to accept.

APPROVED AS TO FORM:



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

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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

08-1845  
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Request from R Way's, Inc. Indy Road Auto (lessee) represented by Don Roberts (officer) to rezone property located at 1930 Indianola Avenue. The subject property is owned by Stratford Holding, LLC.				<b>File #</b> ZON2008-00145	
<b>Description of Action</b>	Rezone property from "C-1" Neighborhood Retail Commercial District to a Limited "C-2" General Retail and Highway-Oriented Commercial District, to allow for reuse of the property for Garage for general motor vehicle repair.				
<b>2020 Community Character Plan</b>	Commercial: Pedestrian-Oriented Commercial Corridor				
<b>Horizon 2025 Transportation Plan</b>	No Planned Improvements				
<b>Current Zoning District</b>	"C-1" Neighborhood Retail Commercial District				
<b>Proposed Zoning District</b>	"Limited C-2" General Retail and Highway-Oriented Commercial District				
<b>Consent Card Responses</b>	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area		1	1	<20%	
Outside Area					
<b>Plan and Zoning Commission Action</b>	Approval	8-4	<b>Required 6/7 Vote of the City Council</b>		Yes
	Denial				No X

R Way's Inc - Indy Road Auto - 1930 Indianola Avenue

ZON2008-00145

