

Date April 23, 2012

**MOTION DISMISSING PROCEEDINGS ON PROPOSED REZONING
1241 EAST 38TH STREET
(Requested by Arnold DeWitt)**


WHEREAS, on March 26, 2012 by Roll Call No. 12-0485, the City Council held a public hearing on the request from Arnold DeWitt to rezone 1241 East 38th Street from a R1-60 One-Family Low-Density Residential District to a Limited C-2 General Retail and Highway-Oriented Commercial District and approved the proposed rezoning, subject to final passage of a rezoning ordinance; and

WHEREAS, on March 26, 2012 by Roll Call No. 12-0486, the City Council approved the first reading, consideration and vote for passage of the rezoning ordinance which ordinance requires two additional considerations before final passage; and

WHEREAS, the applicant, Arnold DeWitt, has withdrawn his rezoning application and is no longer seeking to have the property rezoned.

Moved by _____ to dismiss
the pending rezoning proceedings.

APPROVED AS TO FORM:



Michael F. Kelley
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
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



Ludwig, Michael <mgludwig@dmgov.org>

Fwd: Arnie DeWitt

message

Ludwig, Michael <mgludwig@dmgov.org>
To: Diane Rauh <DIRauh@dmgov.org>

Fri, Apr 20, 2012 at 10:56 AM

----- Forwarded message -----

From: **Moffatt, Ryan** <rlmoffatt@dmgov.org>
Date: Tue, Apr 10, 2012 at 8:14 AM
Subject: Fwd: Arnie DeWitt
To: "Ludwig, Michael G." <MGLudwig@dmgov.org>, Phil Delafield <pmdelafield@dmgov.org>, SuAnn Donovan <smdonovan@dmgov.org>
Cc: Bert Drost <badrost@dmgov.org>, "Lundy, Erik M." <EMLundy@dmgov.org>

Please see Wally Pelds' email below. Arnie DeWitt wishes to withdraw his rezoning request at this time.

Ryan Moffatt, AICP

City Planner
City of Des Moines Community Development Department
602 Robert D. Ray Drive
DSM, IA 50309

ph_515-283-4975
fax_515-283-4200

----- Forwarded message -----

From: **Voldemars Pelds** <wally@pelds.com>
Date: Mon, Apr 9, 2012 at 5:39 PM
Subject: Arnie DeWitt
To: "Moffatt, Ryan" <rlmoffatt@dmgov.org>

Ryan,

I do not have Mike Ludwig email. Arnie DeWitt has decided to withdraw his rezoning application at this time. We have not been able to get the numbers to work out. We will get the site in compliance by filing a grading plan. I hope to submit a Grading plan and SWPPP this week.

Sincerely,

Wally Pelds, PE & LSI

A. LEO PELDS ENGINEERING COMPANY

2323 Dixon Street

Des Moines, IA 50316

PH: 515.265.8196

pelds logo for emailsmaller

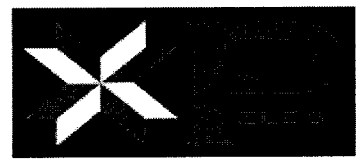


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8K