



Roll Call Number

Agenda Item Number

40A

Date June 10, 2013

An Ordinance entitled, "AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-277 of the Municipal Code of the City of Des Moines, Iowa, 2000, by rezoning and changing the district classification of certain property located in the vicinity of 3911 Southwest 9th Street and 3915 Southwest 9th Street from the R1-60 One-Family Low-Density Residential District, to a Limited C-1 Neighborhood Retail Commercial District classification",

which was considered and voted upon for the first time under Roll Call No. 13-0836 of May 20, 2013, and considered and voted upon for the second time under Roll Call No. 13-_____ of June 10, 2013, again presented.

Moved by _____ that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass.

ORDINANCE NO. _____

NOTE: Waiver of this rule is requested by Mitch Phillips, representative of FD Des Moines Iowa SW 9th, LLC.

FORM APPROVED:

Michael F. Kelley
Assistant City Attorney

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

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.

MOTION CARRIED APPROVED

Mayor

City Clerk

DUBIN SINGER

ATTORNEYS AT LAW

40A
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Chicago, IL 60602

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June 4, 2013

Diane Rauh
City Clerk
City of Des Moines
400 Robert D. Ray Drive
Des Moines, IA 50309

**Re: FD Des Moines Iowa SW 9th, LLC
Rezoning of 3911 and 3915 SW 9th Street**

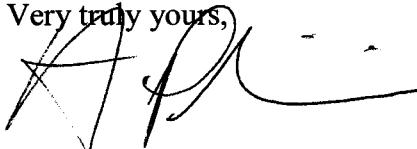
Dear Ms. Rauh:

Please be advised that our law firm represents FD Des Moines Iowa SW 9th LLC as it relates to the Rezoning Application for the properties locally known as 3911 and 3915 SW 9th Street, Des Moines, Iowa. This matter is currently set for hearing for its second reading before the City Council at its next scheduled meeting of June 10, 2013.

Please consider this letter our written request to waive the third reading at the time of the Public Hearing before the Council on Monday, June 10, 2013.

Thank you for your consideration of this matter, and please do not hesitate to contact the undersigned should you have any questions.

Very truly yours,



Mitch Phillips
Dubin Singer, PC
Three First National Plaza
70 West Madison Street, Suite 4500
Chicago, Illinois 60602

FILED
2013 JUN -7 PM 12:04
CITY CLERK
DES MOINES, IA