



Roll Call Number

Agenda Item Number

44 B

Date February 9, 2015

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 at 944 18th Street from the "C-0" Commercial-Residential District to Limited "C-2" General Retail and Highway-Oriented Commercial District classification",

which was considered and voted upon under Roll Call No. 15- of February 9, 2015; 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 applicant

FORM APPROVED:

Glenna K. Frank

Glenna K. Frank
Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MAHAFFEY, MOORE, and 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

CITY ATTORNEY
Jeffrey D. Lester

DEPUTY CITY ATTORNEYS
Lawrence R. McDowell
Carol J. Moser
Kathleen Vanderpool

SENIOR LITIGATORS
Thomas G. Fisher Jr.

ASSISTANT CITY ATTORNEYS
Roger K. Brown
Cory Kuhn Coleman
Ann M. DiDonato

David A. Fesse
Glenna K. Frank
Vicky L. Long Hill
Katharine J. Messier
Douglas P. Philiph



January 28, 2015

Mr. Rob Kretzinger
Mr. Calvin Shelangoski
Wesley Community Services, Inc.
5508 N.W. 88th Street
Johnston, IA 50131

Re: Application for rezoning of property at 944 - 18th Street, Des Moines

Dear Mr. Kretzinger and Mr. Shelangoski:

The City Plan and Zoning Commission has recommended conditional approval of the request to rezone the above referenced property. The Commission recommended that the rezoning be subject to the conditions identified in the accompanying Acceptance of Rezoning Ordinance. To receive the benefit of that recommendation, the owners of the property must agree to the imposition of those conditions by signing the Acceptance.

I have been advised that Wesley Community Services, Inc., successor by merger to Generations Incorporated, is the titleholder of the property. If that is incorrect, please call me immediately. If this is correct, then Mr. Kretzinger, on behalf of Wesley Community Services, Inc., needs to please sign the Acceptance before a notary and return the document to me by Wednesday, February 4, 2015.

Approval of a rezoning ordinance requires three ordinance readings by City Council (three Council meetings) unless an ordinance reading waiver is requested by the applicant and accepted by Council. If you wish to request an ordinance reading waiver, you must sign the enclosed waiver request letter and return the letter to me with the Acceptance by Wednesday, February 4, 2015.

This rezoning is presently scheduled to be considered by the City Council at a public hearing on February 9, 2015, at 5:00 p.m. in the Council Chambers at City Hall. To hold to that schedule, I need the original signed Acceptance returned to me by Wednesday, February 4, 2015. If you need additional time to consider the matter, the next City Council meeting to which the hearing could be deferred is on February 23, 2015, and staff may request the Council to continue the hearing as needed.

Please call me if you have any questions about this matter.

Sincerely,

Glenna K. Frank, Assistant City Attorney
515/283-4530

44B

Mayor and City Council
City of Des Moines
400 Robert D. Ray Drive
Des Moines, IA 50309

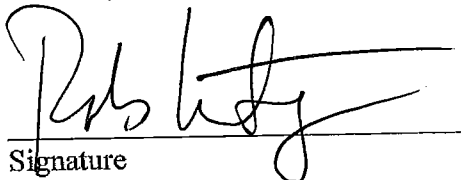
RE: Proposed rezoning of property located at 944 – 18th Street

To the Mayor and City of Des Moines City Council:

Please accept this request to waive the three required readings of the ordinance to rezone the above referenced real property.

Thank you.

Sincerely,


Signature

By: Rob Kretzinger

Its: President + CEO