

Date September 10, 2018

**RESOLUTION CONTINUING HEARING ON REQUEST FROM
NJC PROPERTIES, LLC TO REZONE 2525 MCKINLEY AVENUE**

WHEREAS, on August 6, 2018, by Roll Call No. 18-1333, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on July 19, 2018, its members voted 7-5 in support of a motion to recommend **DENIAL** of a request from NJC Properties, LLC (owner), represented by Noel Chladek (officer), to rezone property at 2525 McKinley Avenue ("Property") from "M-3" Limited Industrial District to "C-2" General Retail and Highway-Oriented Commercial District, to allow single-family residential development of the Property; and

WHEREAS, on August 6, 2018, by Roll Call No. 18-1333, it was duly resolved by the City Council that the application of NJC Properties, LLC to rezone the Property be set down for hearing on August 20, 2018 at 5:00 p.m. in the Council Chamber at the Council Chambers; and

WHEREAS, due notice of said hearing was published in the Des Moines Register, as provided by law, setting forth the time and place for hearing on said proposed rezoning; and

WHEREAS, on August 20, 2018, by Roll Call No. 18-1450, the City Council opened and continued the public hearing on said proposed rezoning to the September 10, 2018 City Council meeting, and directed the City Manager and Legal Department to prepare the necessary legislation to approve the rezoning subject to conditions acceptable to the City and the owner; and

WHEREAS, the public hearing must be continued again to September 24, 2018 to allow for further review and discussion regarding zoning conditions and preparation and receipt of the Acceptance of Rezoning document.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the public hearing on the proposed rezoning of 2525 McKinley Avenue from "M-3" Limited Industrial District to Limited "C-2" General Retail and Highway-Oriented Commercial District is hereby opened and continued to the City Council meeting on September 24, 2018, at 5:00 p.m. in the Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa.

FORM APPROVED:

MOVED BY _____ TO ADOPT.


Glenna K. Frank, Assistant City Attorney

(ZON2018-00115)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				
MOTION CARRIED	APPROVED			

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