



Roll Call Number

Agenda Item Number
37B1

Date April 4, 2022

An Ordinance entitled, "AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-1.10 of the Municipal Code of the City of Des Moines, Iowa, 2000, by rezoning and changing the district classification of certain property located generally to the north of Vandalia Road between Southeast 30th Street to the west and the City's corporate limits to the east (GP 7823-08-351-001 (1419 SE 38th St), GP 7823-08-376-001 (1502 SE 42nd St), GP 7823-08-376-002 (1502 SE 42nd St), GP 7823-08-377-001 (1511 SE 42nd St), GP 7823-07-176-001 (800 SE 32nd St)), from EX Mixed Use District to Limited I2 Industrial District classification",

which was considered and voted upon under Roll Call No. 22-_____ of April 4, 2022; 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. Seconded by _____.

ORDINANCE NO. _____

NOTE: Waiver of this rule is requested by Louis Hockenbergl, counsel for Sam's Riverside Incorporated and Alviv Properties, L.L.C., and by Erin Olson-Douglas, Development Services Director.

FORM APPROVED:

/s/ Glenna K. Frank
Glenna K. Frank
Assistant City Attorney

(ZONG-2021-000043; ZONG-2021-000044)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	

CERTIFICATE

I, P. Kay Cmelik, 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.

Mayor

City Clerk

3761



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**Law Offices
Sullivan & Ward, P.C.**

March 24, 2022

Honorable Franklin Cownie, Mayor
and Members of the City Council of the City of Des Moines
400 Robert D. Ray Drive
Des Moines, IA 50309

Re: Proposed rezoning of property located at 3300 Vandalia Road, GP 7823-07-327-001; 3546 Vandalia Road, 1823 SE 36th Street, 3602 Vandalia Road, 3608 Vandalia Road, 3704 Vandalia Road, 3900 Vandalia Road, 4000 Vandalia Road, GP 7823-08-376-003, 4100 Vandalia Road, GP 7823-08-377-002, 4250 Vandalia Road, 1419 SE 38th Street, 1502 SE 42nd Street (GP 7823-08-376-002 and GP 7823-08-376-001), 1511 SE 42nd Street, and 800 SE 32nd Street

On behalf of Sam's Riverside Incorporated and Alviv Properties, LLC, I hereby request that the three required readings of ordinance to rezone the properties referenced above be waived. In advance, I am thanking you for your cooperation and accommodations.

Very truly yours,

SULLIVAN & WARD, P.C.

Louis R. Hockenberg

LRH/jak

cc: Glenna Frank
gkfrank@dmgov.org