

★ Roll Call Number
08-217

Agenda Item Number
21

Date February 11, 2008

WHEREAS, by Ordinance No. 14,730 passed December 3, 2007, in response to an application from the Iowa Association of Community College Trustees, represented by Donald L. Seymour (officer), the City Council rezoned property the Association is purchasing from the State of Iowa and located at 800 East Court Avenue, from the "R-4" Multiple-Family Residential District to the "C-1" Neighborhood Retail Commercial District to allow for redevelopment the vacant land for the Association's new office facility; and,

WHEREAS, the legal description used to give notice of the public hearing on the rezoning and in Ordinance No. 14,730 omitted a portion of vacated SE 8th Street located within the intended site for the Association's new office facility; and,

WHEREAS, to correct this omission, the Association has asked that the City Council reopen the public hearing on the rezoning, and enact a new ordinance rezoning the entire site for the Association's new office facility, described as follows:

A portion of Block 12, Town of Des Moines, an Official Plat, and portions of the adjoining vacated SE 8th Street and SE 9th Street rights-of-way, all now included in and forming a part of the City of Des Moines, Polk County, Iowa, more specifically described as follows: Beginning at the Northwest corner of Lot 3 of said Block 12, thence North 74°56'43" East along the southerly right-of-way line of E. Court Avenue and along the northerly line of said Block 12 and the extension thereof a distance of 281.62 feet to the East right-of-way line of vacated SE 9th Street; thence South 14°45'54" East along the easterly line of vacated SE 9th Street, a distance of 287.79 feet; thence North 72°48'00" West, 539.24 feet to a point on the southerly right-of-way line of E. Court Avenue; thence North 74°56'43" East along the southerly right-of-way line of E. Court Avenue and along the northerly line of said Block 12 a distance of 175.86 feet to the Point of Beginning.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

1. That the City Council shall reconsider the application for rezoning from the Iowa Association of Community College Trustees.

(continued)

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2. That the meeting of the City Council at which the proposed rezoning is to be reconsidered shall be held in the Council Chambers, City Hall, Des Moines, Iowa at 5:00 p.m. on February 25, 2008, at which time the City Council will hear both those who oppose and those who favor the proposal.
3. That the City Clerk is hereby authorized and directed to cause notice of said proposal in the accompanying form to be given by publication once, not less than seven (7) days and not more than twenty (20) days before the date of hearing, all as specified in Section 362.3 and Section 414.4 of the Iowa Code.

MOVED by Hensley to adopt.

FORM APPROVED:

Roger K. Brown

Roger K. Brown

Assistant City Attorney

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(ZON2007-00177)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

T. M. Franklin

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.

Diane Rauh City Clerk