

★ Roll Call Number 08-1196

Agenda Item Number 32

Date July 14, 2008

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on May 15, 2008, its members voted 14-0 in support of a motion to recommend DENIAL of a request from FHL&R, LLC (owner) represented by Jennifer Eaton (officer) to rezone property located at 1930 SE 6th Street from "C-1" Neighborhood Retail Commercial District and "R1-60" One-Family Low-Density Residential District to "C-2" General Retail and Highway Oriented Commercial District, to allow for expansion of the existing legal non-conforming tavern use by providing an outdoor area for consumption of alcoholic beverages.

The subject property is more specifically described as follows:

Beginning at the Southeast corner thence Northwesterly 159.66 Feet, North 61.80 Feet, East 57 Feet, Northeasterly 142.28 Feet, East 50 Feet, South 234.05 Feet to the Point of Beginning, Lot 3, Sevastopol, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

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

1. That the meeting of the City Council at which the proposed rezoning is to be considered shall be held in the Council Chambers, City Hall, Des Moines, Iowa at 5:00 p.m. on July 28, 2008, at which time the City Council will hear both those who oppose and those who favor the proposal.
2. 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 Mahaffey to adopt.

FORM APPROVED:

Michael F. Kelley
Michael F. Kelley
Assistant City Attorney

(ZON2008-00072)

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

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

MOTION CARRIED APPROVED

J. M. Franklin
Mayor