

Date September 26, 2011

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on September 15, 2011, its members voted 7-4 in support of a motion to recommend **DENIAL** of a request Arnold DeWitt (owner) to rezone property in the vicinity of 1241 East 38th Street from "R1-60" One-Family Low-Density Residential District to Limited "C-2" General Retail and Highway-Oriented Commercial District. Additional subject property is owned by EDSM, LLC.

The subject properties are more specifically described as follows:

Lots 100, 101, 102, and 103, Broadacre, 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, lowa, 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 October 10, 2011, 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.

FORM APPROVED:

Michael F. Kelley Assistant City Attorney

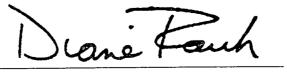
MOVED by Neusle to adopt.

(ZON2011-00110)

## 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

COUNCIL ACTION	ILAS	MAIS	TASS	ADSEN
COWNIE	V			
COLEMAN	$\checkmark$			
GRIESS	~			
HENSLEY	V			
MAHAFFEY	V			
MEYER	~			
MOORE	V			
TOTAL	7			
MOTION CARRIED	APPROVED			

ADDITION AND AND ADDITION