

★ Roll Call Number
11-1728

Agenda Item Number
36

Date October 10, 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 by EDSM, LLC represented by Arnold DeWitt and Grace DeWitt 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.

WHEREAS, on September 26, 2011 by Roll Call No. 11-1627, the City Council set a public hearing on the proposed rezoning for October 10, 2011 at 5:00 p.m. in Council Chambers, City Hall, Des Moines, Iowa;

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.

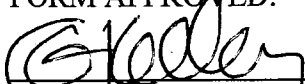
WHEREAS, notice of the public hearing was published in the Des Moines Register according to law on September 29, 2011, setting forth the time and place for hearing on the proposed rezoning.

WHEREAS, the owners have requested that the public hearing on the proposed rezoning be continued until November 7, 2011.

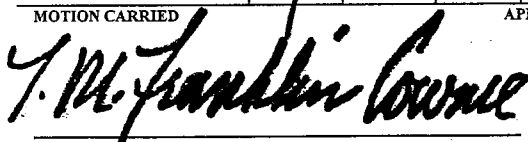
NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the public hearing on the proposed rezoning of the property is hereby opened, and CONTINUED until November 7, 2011 at 5:00 p.m. in Council Chambers at City Hall, Des Moines, Iowa.

Moved by Mahaffey to adopt, and to continue the public hearing until November 7, 2011.

FORM APPROVED:


 Michael F. Kelley
 Assistant City Attorney

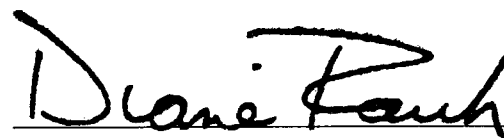
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			
MOTION CARRIED	APPROVED			


 T. M. Franklin Cownie
 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