

★ Roll Call Number

11-2081

Agenda Item Number

41

Date December 5, 2011

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on August 18, 2011, its members voted 8-5 in support of a motion to recommend **DENIAL** of a request from Capstone Ventures, LLC (owner) represented by Douglas Siedenburg (officer) to rezone property located at 315 Southwest 14th Street from C-3B Central Business District Mixed Use District to PUD Planned Unit Development;

WHEREAS, on August 29, 2011 by Roll Call No. 11-1445, the City Council set a public hearing on the proposed rezoning for September 26, 2011 at 5:00 p.m. in Council Chamber, City Hall, Des Moines, Iowa;

The subject properties are more specifically described as follows:

(Except the North 360 feet on West Line and North 249.2 feet on East Line) Lot 3, Central Des Moines Industrial Park, 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 15, 2011, setting forth the time and place for hearing on the proposed rezoning;

WHEREAS, attorneys for applicant Capstone Ventures, LLC filed with the Mayor and City Council a written request that the public hearing scheduled for September 26, 2011 be continued until the City Council meeting on October 24, 2011;

WHEREAS, on September 26, 2011 by Roll Call No. 11-1669, the City Council opened the public hearing and resolved to continue the public hearing on the proposed rezoning of the property from the C-3B to a PUD District classification until October 24, 2011 at 5:00 p.m. in Council Chambers at City Hall, Des Moines, Iowa;

WHEREAS, attorneys for applicant Capstone Ventures, LLC filed with the Mayor and City Council a further request to continue the public hearing on the proposed rezoning until December 5, 2011 at 5:00 p.m. in Council Chambers at City Hall, Des Moines, Iowa.

WHEREAS, on October 24, 2011 by Roll Call No. 11-1830, the City Council opened the public hearing and resolved to continue the public hearing on the proposed rezoning of the property from the C-3B to a PUD District classification until December 5, 2011 at 5:00 p.m. in Council Chambers at City Hall, Des Moines, Iowa;

WHEREAS, attorneys for applicant Capstone Ventures, LLC filed with the Mayor and City Council a further request to continue the public hearing on the proposed rezoning until December 19, 2011 at 5:00 p.m. in Council Chambers at City Hall, Des Moines, Iowa.

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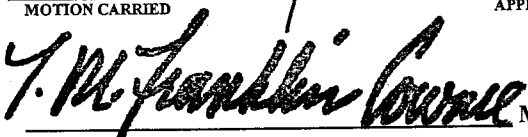
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa that the public hearing is opened and the hearing on the proposed rezoning is continued until December 19, 2011 at 5:00 p.m. in Council Chambers at City Hall, Des Moines, Iowa.

Moved by Hensley to adopt, and to continue the hearing until December 19, 2011 at 5:00 p.m.

FORM APPROVED:


 Michael F. Kelley
 Assistant City Attorney

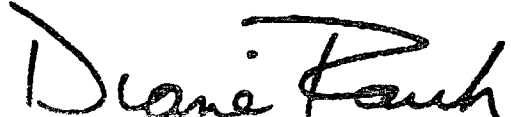
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

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