

★ Roll Call Number

12-1876

Agenda Item Number

42B

Date December 3, 2012

WHEREAS, on November 19, 2012 by Roll Call No. 12-1765, it was duly resolved by the City Council that the City Council initiated request to rezone certain property located at 900 Mulberry Street District from the C-3A Central Business District Support Commercial to the C-3 Central Business District Commercial District classification, more fully described below, be set down for hearing on December 3, 2012, at 5:00 P.M., in the Council Chambers at City Hall; and,

WHEREAS, due notice of the hearing was published in the Des Moines Register on November 21, 2012, as provided by law, setting forth the time and place for hearing on the proposed amendment to the Zoning Ordinance; and,

WHEREAS, in accordance with the notice those interested in the proposed rezoning, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council; and,

WHEREAS, the Legal Department has prepared an amendment to the Zoning Ordinance of the City of Des Moines to rezone the following described property:

South 1/2 of vacated East/West alley lying North of and adjoining Lot 2, and all Lots 1 and 2, Block 13, H.M. Hoxies Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa

from the C-3A Central Business District Support Commercial to the C-3 Central Business District Commercial District classification.

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

Upon due consideration of the facts, statements of interested persons and arguments of counsel, the objections to the proposed rezoning of the Property from the C-3A Central Business District Support Commercial to the C-3 Central Business District Commercial District are hereby overruled, the hearing is closed, and the proposed rezoning is hereby APPROVED.

MOVED by Hensley to adopt and approve the rezoning, subject to final passage of the rezoning ordinance.

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 Council 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