

★ Roll Call Number

14-0797

Agenda Item Number

41

Date May 19, 2014

HEARING ON PROPOSED AMENDMENTS TO THE ZONING ORDINANCE TO REGULATE THE ALLOWED LOCATION AND OPERATION OF TOBACCO STORES THAT SELL ALCOHOLIC BEVERAGES FOR OFF PREMISES CONSUMPTION, AND CONDITIONALLY APPROVING SAME

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on May 1, 2014, its members voted 11-0 in support of a motion to recommend approval of proposed amendments to the Zoning Ordinance to define tobacco store and to regulate the allowed location and operation of tobacco stores that sell alcoholic beverages for off premises consumption, as more fully shown by Exhibit "A" attached hereto.

WHEREAS, on May 5, 2014, by Roll Call No. 14-0692, it was duly resolved by the City Council that the proposed amendment to the Zoning Ordinance, be set down for hearing on May 19, 2014, 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 as provided by law on May 8, 2014; and

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

BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that upon consideration of the facts, statements of interested persons and arguments of counsel, the objections to said proposed amendments to the Zoning Ordinance be and the same are hereby overruled, and the hearing closed.

MOVED by Coleman to adopt and approve the proposed amendments, subject to final passage of the enacting ordinance.

FORM APPROVED:

Roger K. Brown
Roger K. Brown, Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MAHAFFEY, MOORE, and 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.

T. M. Franklin Cooney Mayor

Diane Rauh City Clerk