



Roll Call Number

19-0934

Agenda Item Number

61

Date June 3, 2019

RESOLUTION DISMISSING HEARING ON REQUEST FROM SAVANNAH HOMES, INC. TO REZONE PROPERTY LOCATED AT 4320 EAST 46<sup>TH</sup> STREET

WHEREAS, on February 25, 2019, by Roll Call No. 19-0283, the City Council received a recommendation from the City Plan and Zoning Commission advising that at a public hearing held on February 7, 2019, its members voted 9-0 in support of a motion to recommend APPROVAL of a request from Savannah Homes, Inc. (purchaser), represented by Ted Grob (officer), to rezone property located at 4320 East 46<sup>th</sup> Street ("Property") from "A-1" Agricultural District to Limited "R1-60" One-Family Low-Density Residential District, to allow subdivision of the Property into approximately 16 single-family residential lots, subject to conditions set forth in said Roll Call; and

WHEREAS, on February 25, 2019, by Roll Call No. 19-0593, it was duly resolved by the City Council that the application of Savannah Homes, Inc. to rezone the Property, legally described as follows, be set down for hearing on March 11, 2019 at 5:00 p.m. in the Council Chambers at City Hall:

THE NORTH 5 ACRES OF THE EAST 1/2 OF THE SOUTH 30 ACRES OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 79, RANGE 23, WEST OF THE 5<sup>TH</sup> P.M., NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, EXCEPT PARCEL B BOOK 7498 PAGE 966; and

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

WHEREAS, on March 11, 2019, by Roll Call No. 19-0416, the City Council opened and continued the public hearing to April 8, 2019 at 5:00 p.m. in the Council Chambers; and

WHEREAS, on April 8, 2019, by Roll Call No. 19-0593, the City Council opened and continued the public hearing to June 3, 2019 at 5:00 p.m. in the Council Chambers; and

WHEREAS, thereafter Savannah Homes, Inc. requested to withdraw its application for the proposed rezoning of the Property.

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 a portion of property at 4320 East 46<sup>th</sup> Street from "A-1" Agricultural District to Limited "R1-60" One-Family Low-Density Residential District is hereby dismissed, and the matter of the proposed rezoning is withdrawn from City Council consideration.

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MOVED BY Westergaard TO ADOPT.

FORM APPROVED:

Glenna K. Frank  
Glenna K. Frank, Assistant City Attorney

(ZON2019-00001)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

J. M. Frank 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