

Date December 4, 2006

WHEREAS, the City Plan and Zoning Commission will take action at a public hearing on December 7, 2006, regarding a request from Burlington Auto Finance (purchaser), represented by Russ Larsen (officer) to rezone property located at 2426 SE 14<sup>th</sup> Street and more specifically described below, from a Limited "C-1" Neighborhood Retail Commercial District to the "C-2" General Retail and Highway-Oriented Commercial District:

The West 57.00 feet of the East 73.00 feet of the South ½ of Lot 21 Tallmadge's Subdivision, an Official Plat all now included in the City of Des Moines, Polk County, Iowa.

WHEREAS, the City Manager has approved scheduling of the public hearing prior to receipt of the Plan and Zoning Commission report and recommendation.

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

1. That the meeting of the City Council at which the proposed rezoning is to be considered shall be held in the Council Chambers, City Hall, Des Moines, Iowa, at 5:00 p.m. on December 18, 2006, at which time the City Council will hear both those who oppose and those who favor the proposal.
2. That the City Clerk is hereby authorized and directed to cause notice of said proposal in the accompanying form to be given by publication once, not less than seven (7) days and not more than twenty (20) days before the date of hearing, all as specified in Section 362.3 and Section 414.4 of the Iowa Code.

MOVED by \_\_\_\_\_ to adopt.

FORM APPROVED:

  
Roger K. Brown, Assistant City Attorney

(ZON2006-00177)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
VLASSIS				
TOTAL				
MOTION CARRIED			APPROVED	

**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.

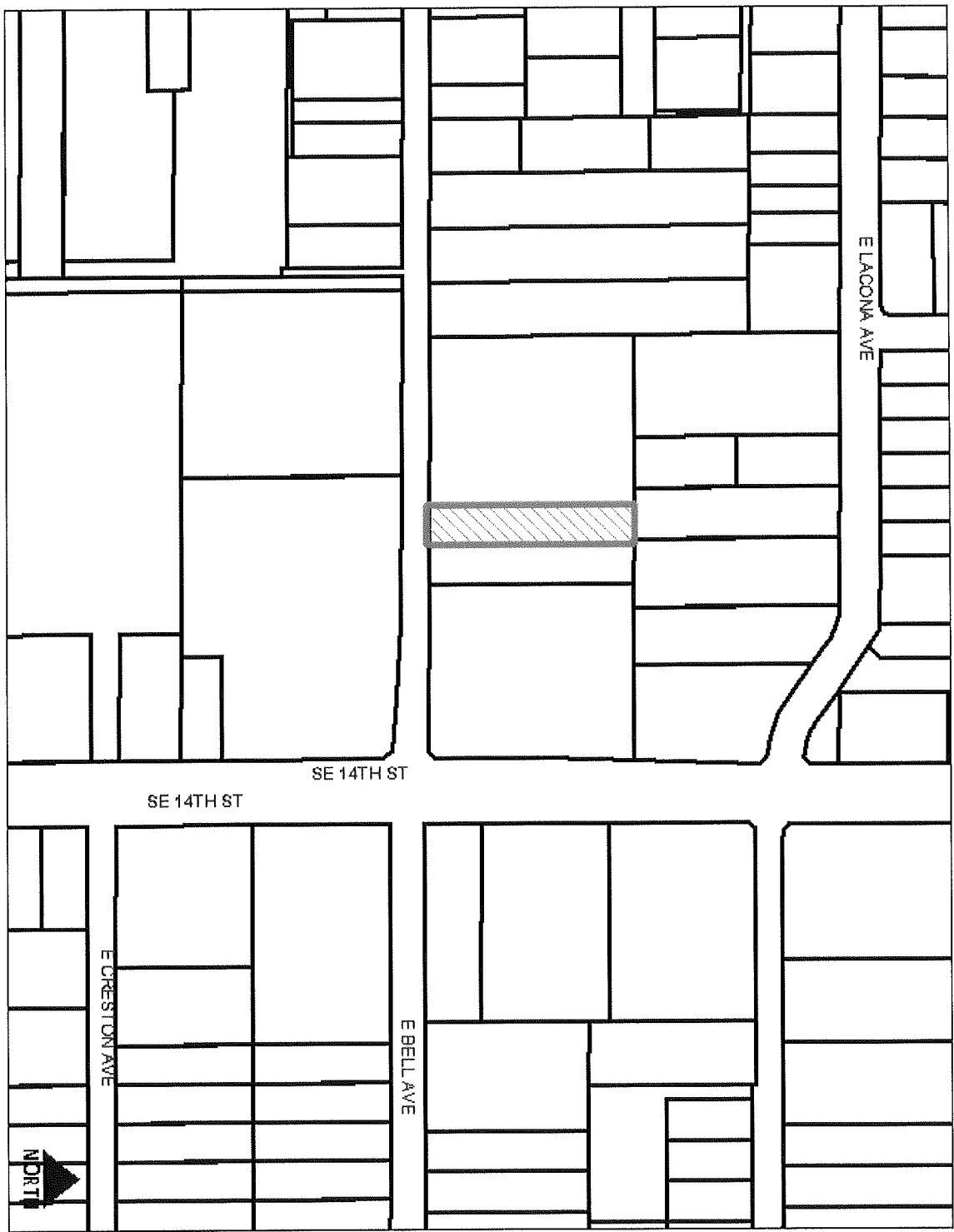
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

Burlington Auto Finance - 2426 SE 14th Street

ZON2006-00177



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# CONNOLLY O'MALLEY LILLIS HANSEN OLSON LLP

ATTORNEYS AT LAW

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ESTABLISHED IN 1917

E-Mail: [willis@connollylawfirm.com](mailto:willis@connollylawfirm.com)  
November 21, 2006

Mayor Franklin Cownie and  
Members of the Des Moines City Council  
City of Des Moines  
City Hall  
400 Robert D. Ray Drive  
Des Moines, Iowa 50309-1891

Subject: Request to Set Public Hearing - Burlington Auto Finance, L.C. -  
Margaret A. Kotz

Honorable Mayor and Members of the City Council:

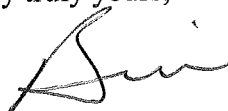
Our law firm represents Burlington Auto Finance, L.C. (hereafter "Burlington") and Margaret A. Kotz (hereafter "Kotz").

Burlington, with the consent of Kotz, has filed an Application to rezone a small parcel of property from the present C-1 (Commercial-Limited) to a C-2 (Commercial) for property located in the vicinity of S.E. 14<sup>th</sup> Street and Bell Avenue (hereafter "Property").

Burlington and Kotz request the City Council at its meeting of Monday, December 4, 2006, to set public hearing on the above request for the City Council meeting of 5:00 P.M. on Monday, December 18, 2006. We would also request that the Council consider, after public hearing, the waiver of the readings of the ordinance.

We would appreciate this letter to be received, filed, and made a part of the City Council Agenda for December 4, 2006.

Very truly yours,



William J. Lillis  
For the Firm

WJL/krp

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NOV 21 2006

CITY MANAGER'S OFFICE

E-Mail: [wllillis@connollylawfirm.com](mailto:wllillis@connollylawfirm.com)  
November 21, 2006

Mr. Richard Clark  
City Manager  
City of Des Moines  
City Hall  
400 Robert D. Ray Drive  
Des Moines, Iowa 50309-1891

*Dear  
Larry White  
Roger Brown  
-----  
P/S Kavelle.  
RLC*

Subject: Request to Set Public Hearing - Burlington Auto Finance and Margaret Kotz

Dear Rick:

Enclosed please find the original and one copy of a letter to be filed with the City Clerk requesting that the public hearing for the rezoning of the small parcel of property in the vicinity of S.E. 14<sup>th</sup> and Bell Avenue be set for public hearing at the meeting of Monday, December 4, 2006.

I have spoken with Councilman Christopher Coleman and he has agreed to sponsor this request.

The parties are attempting to close a real estate transaction prior to the end of December; thus, the expedited request to set public hearing on the 4<sup>th</sup> of December for the hearing to be held at 5:00 P.M. on Monday, December 18, 2006.

We would also request that the Council consider, after public hearing, the waiving of the readings of the ordinance.

If questions, kindly advise.

Very truly yours,



William J. Lillis  
For the Firm

WJL/krp