

Date October 21, 2013

An Ordinance entitled, "AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-277 of the Municipal Code of the City of Des Moines, Iowa, 2000, by rezoning and changing the district classification of certain property located in the vicinity of 918 Southeast 11<sup>th</sup> Street from the C-1 Neighborhood Retail Commercial District to the PUD Planned Unit Development District classification",


which was considered and voted upon under Roll Call No. 13-\_\_\_\_\_ of October 21, 2013; again presented.

Moved by \_\_\_\_\_ that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass.

ORDINANCE NO. \_\_\_\_\_

NOTE: Waiver of this rule is requested by Christopher R. Pose, representative of Youth Emergency Services and Shelter (YESS).

FORM APPROVED:

  
 \_\_\_\_\_  
 Michael F. Kelley  
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				
MOTION CARRIED			APPROVED	
_____ 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.

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

LILLIS O'MALLEY OLSON MANNING POSE TEMPLEMAN LLP

45A2  
45B2

ATTORNEYS AT LAW

(ESTABLISHED 1917)

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CHRISTOPHER R. POSE  
JOEL B. TEMPLEMAN\*  
BRIDGET O'MALLEY KAUTZKY

JOHN CONNOLLY, JR. (1891-1975)  
GEORGE E. O'MALLEY (1905-1982)  
JOHN CONNOLLY III (1918-1998)  
BERNARD J. CONNOLLY (1920-1970)  
C. I. MCNUTT (1901-1958)  
STREETAR CAMERON (1957-2008)

\*LICENSED IN IOWA & ILLINOIS

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October 10, 2013

Honorable Mayor Frank Cownie  
and Members of the Des Moines City Council  
400 Robert D. Ray Drive, 2<sup>nd</sup> Floor  
Des Moines, IA 50309

Re: Youth Emergency Services and Shelter (YESS) Request for Rezoning to PUD  
and for Vacation and Conveyance of North 20 feet of Railroad Avenue South  
of Adjoining Property; Case No. 11-2013-1.16 and ZON2013-1.16 and  
ZON2013-00141

Honorable Mayor and Members of the Council:

I am pleased to represent Youth Emergency Services and Shelter who is presenting the  
request to you for public hearing on your agenda of October 21, 2013.

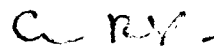
I would respectfully request that you suspend the rules and waive readings as necessary for  
the rezoning to be approved and for any action relating to the conveyance of the right-of-way to  
my client.

Our proposal received approval of your Plan & Zoning Commission and has had no objection  
from the surrounding neighborhood. In fact, the historic East Village Neighborhood Association  
has indicated its consent to our proposal.

Please simply ask your staff to withhold the Deed until such time as Youth Emergency  
Services and Shelter has paid the consideration as agreed to for the right-of-way.

Thank you for your cooperation and assistance.

Sincerely,



Christopher R. Pose  
For the Firm

CRP:dj

cc: Erik Lundy - *via email*  
Mike Kelley - *via email*  
Phil Wageman - *via email*