

Date October 22, 2007

RESOLUTION CONTINUING THE PUBLIC HEARING
ON PROPOSED REZONING OF 1455 - 2nd PLACE AND 218 CLARK STREET

WHEREAS, on September 24, 2007, by Roll Call No. 07-1839, it was duly resolved by the City Council that the application of TD & MD, L.L.C., represented by Tomas Duax, President, to rezone certain property it owns in the vicinity of 1455 - 2nd Place and 218 Clark Street, from the "R1-60" One-Family Low-Density Residential District to a Limited "M-1" Light Industrial District classification, be set down for hearing on October 8, 2007, at 5:00 P.M., in the Council Chambers at City Hall; and,

WHEREAS, the Plan and Zoning Commission has recommended that the proposed rezoning be approved subject to the following conditions:

- A. Only the following uses of structures or land shall be permitted upon the Property: Wholesale warehousing in accordance with an approved site plan. Outdoor storage shall not be permitted upon the Property.
- B. Landscaping and buffering shall be provided upon the Property in accordance with the City's Landscaping Standards for the "C-2" District.
- C. Vehicular access to the Property shall be limited to access from the adjoining alley.
- D. Any building constructed or placed upon the Property shall be constructed and maintained in conformance with the following design standards:
 - 1) At least 60% of the exterior facade facing 2nd Place and Clark Street, excluding windows and doors, shall be covered with stone, brick, architectural tilt-up concrete panels, tile or architectural block such as split-face block.
 - 2) Not more than 40% of the exterior facade facing 2nd Place and Clark Street shall be metal or synthetic stucco (such as EFIS or Dryvit).
 - 3) The required materials used for the exterior facades facing 2nd Place and Clark Street must wrap around the sides of the building in either a wainscoat application across the entire side or extend the entire height of the facade a distance of at least four (4) feet back from the facade facing 2nd Place and Clark Street.
 - 4) No metal (such as standing seam metal), synthetic stucco material (such as EFIS or Dryvit) or other materials susceptibility to damage shall be used as an exterior material below four (4) feet above grade.
 - 5) All outdoor dumpsters shall be enclosed by a solid opaque screen.

(continued)

★ Roll Call Number

Agenda Item Number

46B

Date..... October 22, 2007

E. Prior to occupancy of any building upon the Property, the adjoining property fronting on 2nd Avenue shall be improved by:

- 1) The addition and installation of brick wainscoting along the east side of the existing building;
- 2) The installation of landscaping and buffering in accordance with the City's Landscaping Standards for the "C-2" District; and,
- 3) The installation of solid opaque screening around all outdoor dumpsters.

WHEREAS, on October 8, 2007, by Roll Call No. 1979, the City Council granted the applicant's request to continue the hearing until October 22, 2007; and,

WHEREAS, the applicant has requested that the public hearing be continued until November 5, 2007, to permit the applicant to consult with his design professionals and consider the impact of the conditions recommended by the Plan and Zoning Commission.

MOVED by _____ to continue the public hearing until November 5, 2007, at 5:00 p.m.

FORM APPROVED:

Roger K. Brown

Roger K. Brown

Assistant City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
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

Item **2007 00130**

Date **8/22/2007 46B**

I (am) (am not) in favor of the request.

(Circle One)

RECEIVED

AUG 31 2007

COMMUNITY DEVELOPMENT DEPARTMENT

Print Name: **TOM QUAX**
Signature: **TQ**
Address: **1460 2nd Ave**

Reason for opposing or approving this request may be listed below:

CCL has cleared up this area and will continue to keep it clear

APPLICANT & HOUSING OWNER

Item **2007 00130**

Date **9-16-07**

I (am) (am not) in favor of the request.

(Circle One)

RECEIVED

SEP 05 2007

COMMUNITY DEVELOPMENT DEPARTMENT

Print Name: **NALY SYSAVATH**
Signature: **Naly Sy Savath**
Address: **1441 2nd St - DES MOINES IOWA**

Reason for opposing or approving this request may be listed below:

Thank you everything is ok.

Item **2007 00130**

Date **8-27-07**

I (am) (am not) in favor of the request.

(Check One)

RECEIVED

AUG 29 2007

**COMMUNITY DEVELOPMENT
DEPARTMENT**

Print Name

Tim Lindemoen

Signature

Tim Lindemoen

Address

1440 2ND Ave

Reason for opposing or approving this request may be listed below:

**NEITHER NAME OR ADDRESS ON REVISIONS
RECORD'S**