

★ Roll Call Number

Agenda Item Number

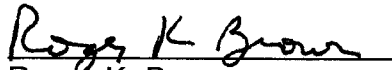
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Date December 17, 2007

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Communication from the City Plan and Zoning Commission advising that at a public hearing held on December 6, 2007, its members voted 13-0 to recommend that a 180 day moratorium be put on the approval of any site plans for vehicle display lots in the City of Des Moines until additional regulations are established to better regulate how vehicle display lots are designed and operated in the "C-2" General Retail and Highway Oriented Commercial District.

MOVED by _____ to receive and file.

FORM APPROVED:


Roger K. Brown
Assistant City Attorney

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

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.

MOTION CARRIED APPROVED

_____ Mayor

_____ City Clerk

December 17, 2007

Date _____

Agenda Item 18

Roll Call # _____

Honorable Mayor and City Council
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held December 6, 2007, the following action was taken:

COMMISSION RECOMMENDATION:

After public hearing, the members voted 13-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Leisha Barcus	X			
David Cupp	X			
Shirley Daniels	X			
Dann Flaherty	X			
Bruce Heilman	X			
Jeffrey Johannsen	X			
Greg Jones	X			
Frances Koontz				X
Kaye Lozier	X			
Jim Martin	X			
Brian Millard	X			
Mike Simonson				X
Kent Sovern	X			
Tim Urban	X			
Marc Wallace	X			

in support of a motion to recommend that a 180 day moratorium be put on the approval of any site plans for vehicle display lots in the City of Des Moines until additional regulations are established to better regulate how vehicle display lots are designed and operated in the "C-2" General Retail and Highway Oriented Commercial District.

SUMMARY OF DISCUSSION

Tim Urban: Suggested a recommendation to the City Council to put a 180 day Moratorium on display lots be approved under site plans for the City of Des Moines until better regulations are established for how they should be handled in the C-2 District.

Larry Hulse: Asked what the 180 days was for.

Tim Urban: Explained it would be to not permit any approvals for display lots and during that time R&O would review it to determine what additional regulations should be made in the C-2 district to regulate display lots over and above what there are currently. Indicated it could cover additional landscaping, screening or anything else.



CITY PLAN AND ZONING COMMISSION
ARMORY BUILDING
602 ROBERT D. RAY DRIVE
DES MOINES, IOWA 50309-1881
(515) 283-4182

ALL-AMERICA CITY
1949, 1976, 1981
2003

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Bruce Heilman: Suggested enforcement is the problem and noted R&O would look at it and discuss it, but if there are any specific ideas as to why the display lots in a properly zoned C-2 District should be treated differently, R&O needs to know.

Brian Millard: Expressed concern that there is a recent site plan that was passed, but when the site opened up and it was looked at closer, it did not meet the vehicle display ordinance. Explained staff is reviewing whether the zoning ordinance can be enforced or if the car lot can continue with a vehicle display lot that is contrary to the standards.

Jim Martin: Asked if the Commission was obligated to pass zoning changes.

Larry Hulse: Explained if the Land Use Plan designates the property for commercial area for highway types of use the Land Use Plan has to be changed or it should be rezoned. Noted the Commission is not obligated to do anything but there are some other systems that dictate what they need to do. Noted the City has a lot of C-2 zoned property down major streets. Businesses change and leave, which leaves opportunity for other businesses to go in and car lots tend to be those "other businesses".

Tim Urban: Suggested if the Moratorium moves forward it will be educational for the Commission to find out how the suburbs allow or don't allow display lot uses in general. Des Moines is a "catch basin" for display lots as far as the land use is concerned and suggested it would help the City Council better understand the problem as seen from the Commission's standpoint. Called for motion.

Motion was to put a 180 day Moratorium on display lots for approval under site plans for the City of Des Moines until better regulations are established for how they should be handled in the C-2 District.

Motion passed 13-0.

Respectfully submitted,


Erik Lundy, AICP
Senior Planner

EML:dfa

Attachment