



Date February 11, 2013

WHEREAS, on January 28, 2013 by Roll Call No. 13-0106, it was duly resolved by the City Council that the application of Elizabeth Ann Grask Revocable Trust to rezone certain property located in the vicinity of 2020 Highview Drive from the C-0 Commercial Residential District to Limited C-2 General Retail and Highway-Oriented Commercial District classification, more fully described below, be set down for hearing on February 11, 2013, at 5:00 P.M., in the Council Chambers at City Hall; and,

WHEREAS, due notice of the hearing was published in the Des Moines Register on January 31, 2013, as provided by law, setting forth the time and place for hearing on the proposed amendment to the Zoning Ordinance; and,

WHEREAS, in accordance with the notice those interested in the proposed rezoning, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council; and,

WHEREAS, the Legal Department has prepared an amendment to the Zoning Ordinance of the City of Des Moines to rezone the following described property:

(Except the South 135 feet) Lot 19, Farr View Acres, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa

from the C-0 Commercial Residential District to Limited C-2 General Retail and Highway-Oriented Commercial District classification, subject to the following conditions which have been agreed to and accepted by execution of an Acceptance of Rezoning Ordinance in writing by all owners of the property and are binding upon the owners and their successors, heirs and assigns as follows:

- (1) Use of the property shall be limited to the following:
  - a. Any use as permitted and limited in the C-0 District.
  - b. Parking lots used for the temporary placement of motor vehicles.
- (2) The applicant shall provide a wood privacy fence along the east boundary and resolve stormwater run-off issues via grading, onsite detention and/or storm sewer connection to Fleur Drive.



Roll Call Number

Agenda Item Number

56B

Date February 11, 2013

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that upon due consideration of the facts, statements of interested persons and arguments of counsel, the objections to the proposed rezoning of the Property from the C-0 Commercial Residential District to Limited C-2 General Retail and Highway-Oriented Commercial District are hereby overruled, the hearing is closed, and the proposed rezoning to the Limited C-2 General Retail and Highway-Oriented Commercial District classification is hereby APPROVED.

Moved by \_\_\_\_\_ to adopt and approve the rezoning, subject to final passage of the rezoning ordinance.

FORM APPROVED:

[Signature]
Michael F. Kelley
Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GRIESS, HENSLEY, MAHAFFEY, MEYER, MOORE, and 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