



Roll Call Number

Agenda Item Number

46

Substitute Resolution

Date December 7, 2015

RESOLUTION CLOSING HEARING AND DISMISSING APPEAL BY THOMAS WONG OF THE CONDITIONS FOR APPROVAL OF A SITE PLAN FOR AN EXPANSION OF A VEHICLE DISPLAY LOT AT 852 E. 25th COURT

WHEREAS, on November 5, 2015, the City Plan and Zoning Commission voted 10 to 1 to approve an application by Thomas Wong for approval of a Site Plan titled "Tom's - Denny Murray Lot" pursuant to City Code Sec. 82-214.3 - Design Guidelines for Vehicle Display Lots, to allow a 2,925-square foot expansion of the adjoining vehicle display lot onto the property at 852 E. 25th Court subject to several conditions, including the following:

Provision of a 6-foot wide sidewalk along East University Avenue frontage in compliance with the East University Avenue Design Guidelines.

WHEREAS, Thomas Wong timely appealed to the City Council seeking relief from the requirement to construct the 6-foot wide sidewalk; and,

WHEREAS, upon learning that the required 6-foot wide sidewalk can be constructed entirely on the existing E. University Avenue right-of-way without impacting the existing vehicle display area, or any of the existing trees and landscaping, Thomas Wong has asked to draw his appeal.

MOVED by _____ to close the hearing and dismiss the appeal.

FORM APPROVED:

Roger K. Brown, Assistant City Attorney
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Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MAHAFFEY, 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