

Date August 28, 2017

**RESOLUTION ON REQUEST FROM CAPITOL CITY TOWING & RECOVERY, LLC TO AMEND THE PLANDSM: CREATING OUR TOMORROW PLAN FUTURE LAND USE DESIGNATION (915 SOUTHEAST 14<sup>TH</sup> COURT)**

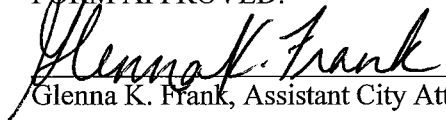
**WHEREAS**, on April 25, 2016, by Roll Call No. 16-0717, the City Council adopted the PlanDSM: Creating Our Tomorrow Plan; and

**WHEREAS**, on August 14, 2017, by Roll Call No. 17-1362, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held August 3, 2017, its members voted 10-1 to recommend **DENIAL** of a request from Capitol City Towing & Recovery, LLC (lessee), represented by Adam Malloy (officer), to amend the PlanDSM: Creating Our Tomorrow Plan future land use designation for real property in the vicinity of 915 Southeast 14<sup>th</sup> Court from Community Mixed Use to Industrial, as required to rezone said property to "M-2" Heavy Industrial District for use for a towing operation involving the outdoor storage of inoperable vehicles, rebuilding and recycling of vehicles, and vehicle sales lot, considered a junk and salvage yard.

**NOW THEREFORE, BE IT RESOLVED**, by the City Council of the City of Des Moines, Iowa, that the proposed amendment to the PlanDSM: Creating Our Tomorrow Plan, as described above, is hereby **approved / denied**.

MOVED by \_\_\_\_\_ to adopt and **APPROVE / DENY** the proposed amendment.

FORM APPROVED:

  
 Glenna K. Frank, Assistant City Attorney

(21-2016-4.08)

NOTE: Six affirmative votes are required to approve the proposed amendment due to the Plan and Zoning Commission's recommendation for denial. Des Moines City Code §82-78.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
TOTAL				
MOTION CARRIED		APPROVED		

**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.

\_\_\_\_\_  
 Mayor

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