



Roll Call Number

09-543

Agenda Item Number

26

Date April 6, 2009

WHEREAS, at its regular meeting on April 2, 2009 the City of Des Moines Plan & Zoning Commission will hear a request from Hubbell Realty Company (owner) represented by Steve Niebuhr (officer) to rezone property from M-1 Light Industrial District to M-2 Heavy Industrial District to allow appeal for a Conditional Use to the Board of Adjustment for conversion of warehouse space to a recycling collection center. The property is located at 1701 East Euclid Avenue.

The subject property is more specifically described as follows:

The West 375 feet of that part of the North Half of the Northeast Quarter of Section 25, Township 79 North, Range 24 West of the 5th P.M., City of Des Moines, Polk County, Iowa, lying South of Euclid Avenue, except the East 40 feet thereof; and, except a triangular piece of ground described as follows: Beginning at a point on the South line of East Euclid Avenue, said point being 335 feet East and 712.2 feet South of the North Quarter corner of said Section 25; thence West along a line that is parallel to the North line of the Northeast Quarter of said Section 25. a distance of 147 feet; thence Southeasterly along a straight line to a point on the West line of Dixon Avenue, said point being 335 feet East and 1024.2 feet South of the North Quarter corner of said Section 25; thence Northerly along a straight line to the point of beginning;

And

The West 335 feet of the West Half of the Southwest Quarter of the Northeast Quarter of Section 25, Township 79 North, Range 24 West of the 5th P.M., City of Des Moines, Polk County, Iowa, except the South 1,208.31 feet thereof as measured along and perpendicular to the West line of the Southwest Quarter of the Northeast Quarter of said Section 25;

And

That part of Lot 5 of the Official Plat of the South Half of the Northwest Quarter of Section 25, Township 79 North, Range 24 West of the 5th P.M., City of Des Moines, Polk County, Iowa, lying East of the Chicago Northwestern Railroad right of way, except the South 1,183.31 feet thereof as measured along and perpendicular to the East line of the Southeast Quarter of the Northwest Quarter of said Section 25;

And

Lot 19 in Brown's Lowland Place, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, except that part described as follows: Beginning at the Northwest corner of said Lot 19; thence East along the North line of said Lot 19 a distance of 222 feet; thence South on a line forming a 90 degree 00 minute angle with the last described course; a distance of 215 feet; thence West on a line parallel with the North line of said Lot 19, a distance of 192.58 feet to the West line of said Lot 19; thence Northerly along the West line of said Lot 19, a distance of 217 feet to the point of beginning, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa



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NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

1. That the meeting of the City Council at which the proposed rezoning is to be considered shall be held in the Council Chambers, City Hall, Des Moines, Iowa at 5:00 p.m. on April 20, 2009, at which time the City Council will hear both those who oppose and those who favor the proposal.
2. That the City Clerk is hereby authorized and directed to cause notice of said proposal in the accompanying form to be given by publication once, not less than seven (7) days and not more than twenty (20) days before the date of hearing, all as specified in Section 362.3 and Section 414.4 of the Iowa Code.

MOVED by Hensley to adopt.

FORM APPROVED:

Michael F. Kelley
Michael F. Kelley
Assistant City Attorney

(ZON2009-00029)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			

T. M. Franklin 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.

Diane Rauh City Clerk