

★ Roll Call Number

10-902

Agenda Item Number

24

Date June 14, 2010

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on June 3, 2010, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from 400 SE 6th Inc. (contract buyer) to rezone property located at 400 SE 6th Street, from "M-1" Light Industrial District to a Limited "C-3B" District subject to the existing prohibition of uses listed in Section 134-1006[1][a]-[j] and prohibition of the following additional uses:

1. Assembly and packaging of small components from previously prepared materials within a fully enclosed building.
2. Auction businesses.
3. Financial institutions whereby a majority of loans are made based on collateral of future payroll or vehicle titles.
4. Lumberyards, retail and wholesale.
5. Machine shops.
6. Package goods stores for the sale of alcoholic beverages.
7. Pawnshops.
8. Printing, publishing houses and lithographing shops.
9. Plumbing and heating shops.
10. Miniwarehouse uses.
11. Taverns and night clubs.
12. Warehousing.

The subject property is more specifically described as follows:

East 1/2 of the North 47 feet, Lot 10, Block 43, Town of De Moine, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

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

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 June 28, 2010, at which time the City Council will hear both those who oppose and those who favor the proposal.

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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:

[Signature]

Michael F. Kelley
Assistant City Attorney

(ZON2010-00082)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

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
T. M. Franklin Cownie Mayor

Diane Rauh City Clerk