

Date August 29, 2011

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on August 18, 2011, its members voted 12-0-1 in support of a motion to recommend **APPROVAL** of a request from Neighborhood Development Corporation (owner) represented by Heidi Wessels (officer) to rezone property located at 1938 Southeast 6th Street from Limited "C-1A" Neighborhood Commercial Reuse District to "NPC" Neighborhood Pedestrian Commercial District, to allow mixed use pedestrian commercial redevelopment subject to the following conditions:

1. Prohibition of the following uses:
 - a) billiard parlor/game room
 - b) communication tower/antenna (unless as an extension of 20 feet or less from the structure),
 - c) financial service centers that provide check cashing and loans secured by post dated checks or payroll guarantee as their primary activity,
 - d) gas stations/convenience stores,
 - e) off-premises advertising signs,
 - f) package goods stores for the sale of alcoholic beverages, and
 - g) taverns and nightclubs,
 - h) tattoo parlor

2. Any trash enclosure on site shall conform to the standards of the Zoning Ordinance and be comprised of durable materials that compliment the principal building with steel gates.

The subject properties are more specifically described as follows:

Lot 3, South of Hillside Avenue, Sevastopol, 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:

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 September 12, 2011, at which time the City Council will hear both those who oppose and those who favor the proposal.

★ Roll Call Number
11-1446

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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

(ZON2011-00113)

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 Mayor

Diane Rauh City Clerk