

★ Roll Call Number

12-0186

Agenda Item Number

23

Date February 13, 2012

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on January 19, 2012, its members voted 7-1 in support of a motion to recommend **APPROVAL** of a request from Anthofer Holdings, LLC (owner) represented by Kevin Anthofer (officer) to rezone property located at 2814 Southeast 14<sup>th</sup> Street to remove the VDL Vehicle Display Lot Overlay District subject to the owner agreeing to the following conditions:

1. Any future use of the site for a vehicle display lot shall be in accordance with a Site Plan under the design guidelines for vehicle display lots as approved by the Plan & Zoning Commission and shall adhere to all landscaping and setback requirements.
2. The number of vehicles for display shall be limited to no more than 30, with all required minimum off-street parking spaces provided.
3. Any vehicle display lot shall be limited to one (1) freestanding sign along the Southeast 14<sup>th</sup> Street frontage, with no freestanding sign along King Avenue.
4. Any outdoor trash collection container shall be within an enclosure constructed with concrete block or masonry materials and 100% opaque steel gates. It shall not be located within any required setbacks.

The subject properties are more specifically described as follows:

(Except East 29.36 feet on North line and East 23.78 on South Line of Lots 27 and 28) and (Except Triangular piece measuring North 10 feet on West Line and West 100 feet on North Line of Lot 28) Lots 27 and 28, Oak Hill, 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 February 27, 2012, at which time the City Council will hear both those who oppose and those who favor the proposal.

-Continue-

★ Roll Call Number

Agenda Item Number

12-0186

23

February 13, 2012

Date

-2-

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

(ZON2011-00245)

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.

T. M. Franklin  
 T. M. Franklin  
 Mayor

Diane Rauh  
 Diane Rauh  
 City Clerk