

★ Roll Call Number
12-0188

Agenda Item Number
25

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 11-0 in support of a motion to recommend **APPROVAL** of a request from ThermoKing Sales and Service, Inc. (owner) represented by Daniel Santarsiero (officer) to rezone property located at 4875 Hubbell Road from A-1 Agricultural District to Limited M-1 Light Industrial District, to allow sales and service of recreational vehicles and refrigerated semi-tractor trailers, and above-ground storage tanks of petroleum subject to the following conditions:

1. Permitted uses shall be limited to the following:
 - a) Uses allowed in the C-2 District, excluding adult entertainment businesses, off-premises advertising signs, delayed deposit services and pawn shops.
 - b) Uses allowed in the C-3 and C-3A District, excluding assembly and packaging of small components; and manufacturing, packaging, and storage of dairy products.
 - c) Storage yards, and communication towers and antennas as permitted in the M-1 District.
2. Any outdoor storage or vehicle display shall occur on a paved asphalt or Portland cement concrete surface.

The subject properties are more specifically described as follows:

Beginning 136.11 feet West and 133.31 feet North of the Southeast Corner, thence West 261.27 feet, thence northerly 551.68 feet, thence Northeasterly 145 feet, thence Southeasterly 179 feet, thence South 540.88 feet to the Point of Beginning, Southeast $\frac{1}{4}$, Southwest $\frac{1}{4}$, Section 15, Township 79 North, Range 23 West of the 5th P.M., 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.

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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:



Michael F. Kelley
Assistant City Attorney

(ZON2011-00242)

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 7 APPROVED
T. M. Franklin Course Mayor

Diane Rauh City Clerk