

★ Roll Call Number

12-1459

Agenda Item Number

38

Date..... September 10, 2012

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on August 16, 2012, its members voted 11-0 in support of a motion to recommend **APPROVAL** of a request from Davis Investment Company, Inc. (owner) represented by Susan Christensen (officer) to rezone property located at 1658 East Euclid Avenue from M-1 Light Industrial District to M-2 Heavy Industrial District, to allow the owner to request a Conditional Use Permit for the property to be used for an outdoor wooden pallet material recycling operation that is ancillary to new pallet manufacturing; and,

WHEREAS, on August 27, 2012 by Roll Call No. 12-1345, it was duly resolved by the City Council that the application of Davis Investment Company, Inc. (owner) represented by Susan Christensen (officer) to rezone certain property located in the vicinity of 1658 East Euclid Avenue from the M-1 Light Industrial District to the M-2 Heavy Industrial District classification, more fully described below, be set down for hearing on September 10, 2012, at 5:00 P.M., in the Council Chambers at City Hall; and,

WHEREAS, due notice of the hearing was published in the Des Moines Register on August 31, 2012, as provided by law, setting forth the time and place for hearing on the proposed amendment to the Zoning Ordinance; and,

WHEREAS, in accordance with the notice those interested in the proposed rezoning, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council; and,

WHEREAS, the Legal Department has prepared an amendment to the Zoning Ordinance of the City of Des Moines to rezone the following described property:

(Except beginning at the Southwest corner, thence Northwest 15.14 feet; thence Southeast 22.34 feet to South Lot line; thence West 14.48 feet to Point of Beginning) Lot 17, Browns Lowland Place, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa

from the M-1 Light Industrial District to the M-2 Heavy Industrial District classification.

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

1. Upon due consideration of the facts, statements of interested persons and arguments of counsel, the objections to the proposed rezoning of the Property to a M-2 Heavy Industrial District are hereby overruled, and the hearing is closed.

2. The proposed rezoning is hereby found to be in conformance with the Des Moines 2020 Community Character Land Use Plan.

MOVED by Mahaffey to adopt and approve the rezoning subject to final passage of the rezoning ordinance.

FORM APPROVED:


 Michael F. Kelley
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN				✓
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	6			1

MOTION CARRIED

APPROVED

T. M. Franklin Council 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