

★ Roll Call Number
12-1766

Agenda Item Number
20

Date November 19, 2012

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on November 1, 2012, its members voted 11-0 in support of a motion to recommend **DENIAL** of a request from Raymond Garneau (owner) to rezone property located at 2324 Southwest 9th Street from C-1 Neighborhood Retail Commercial District to C-2 General Retail and Highway Oriented Commercial District, to allow conversion of the existing property to a plumbing and heating shop on the basis that the C-2 District is intended for larger retail areas where adequate buffering can be provided for adjoining residential uses. The existing C-1 District is a more appropriate classification given the residential nature of the area and the shallow depth of the lots fronting SW 9th Street.

The subject properties are more specifically described as follows:

(Except the West 77 feet) Lot 560, 1st Plat of Clifton Heights, 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 December 3, 2012, at which time the City Council will hear both those who oppose and those who favor the proposal.
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.

FORM APPROVED:

MOVED by Hensley to adopt.

Michael F. Kelley
Michael F. Kelley, Assistant City Attorney

(ZON2012-00181)

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

MOTION CARRIED

APPROVED

T. M. Franklin
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
Diane Rauh, City Clerk