

★ Roll Call Number

12-1835

Agenda Item Number

17

Date December 3, 2012

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on November 15, 2012, its members voted 8-3 in support of a motion to recommend **APPROVAL** of a request from Available Materials Handling, LLC (owner) represented by Anthony Holt (officer) to rezone property located at 607 Southeast 21<sup>st</sup> Street from M-1 Light Industrial District to a limited M-2 Heavy Industrial District with the following condition:

1. Uses are to be limited to M-1 uses and dismantling of construction equipment for purpose of transport with no storage longer than six months.

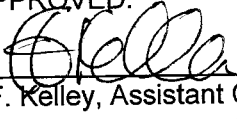
The subject properties are more specifically described as follows:

Part of Lot 1 Official Plat of Lot 58 lying Easterly of railroad Right-of-Way, Brooks & Cos Addition, an Official Plat, also Lots 18 through 34, Block 7, Jack's Plat, an Official Plat, and also Lots 17, 18, & 19, Block 8, lying East of railroad Right-of-Way, Jack's Plat, and vacated Southeast 21<sup>st</sup> Court Right-of-Way lying west of and adjoining said Lots 18 through 34, Block 7, Jack's Plat, and also vacated Shaw Street Right-of-Way lying South of and adjoining Lot 18, Block 7, Jack's Plat, and vacated Shaw Street Right-of-Way lying South of and adjoining vacated Southeast 21<sup>st</sup> Court Right-of-Way, 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 17, 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:



Michael F. Kelley, Assistant City Attorney

MOVED by Hensley to adopt.

(ZON2012-00180)

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

MOTION CARRIED

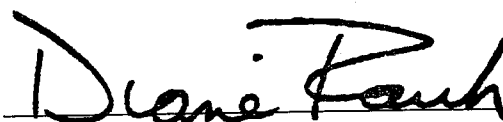
APPROVED

T. M. Franklin 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.



City Clerk