



Roll Call Number

13-0720

Agenda Item Number

26

Date May 6, 2013

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on April 18, 2013, its members voted 14-0 in support of a motion to recommend **APPROVAL** of a request from John Scieszinski (owner) to rezone property at 1135 Army Post Road from "R1-60" One-Family Low-Density Residential District to "C-2" General Retail and Highway Oriented Commercial District, to allow continued use of the property for highway commercial uses including, offices, retail, and small engine repair subject to the following conditions:

1. Use of the property shall be limited to the following:
 - a. Any residential use as permitted and limited in the "R-2" District.
 - b. Any commercial use as allowed and limited in the "C-0" District.
 - c. Accessory off-street parking lot used for the temporary placement of operable motor vehicles in support of a use as permitted in the "C-2" District that occurs on the southern portion of the subject property (1135 Army Post Road).
2. The portion of property being rezoned shall be brought into conformance with the City's current landscaping requirements.
3. Any future development of the property shall comply with a Site Plan as approved by the Permit and Development Center.

The subject property is more specifically described as follows:

North 152.05 feet of Lot 7 and the South 46.05 feet of the North 152.05 feet of Lot 6, COHRON, 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 May 20, 2013, at which time the City Council will hear both those who oppose and those who favor the proposal.



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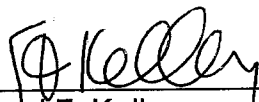
26

Date May 6, 2013

- 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 Mahaffey to adopt.

FORM APPROVED:

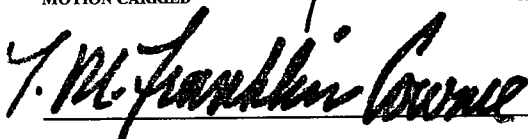

 Michael F. Kelley
 Assistant City Attorney

(ZON2013-00006)

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

MOTION CARRIED

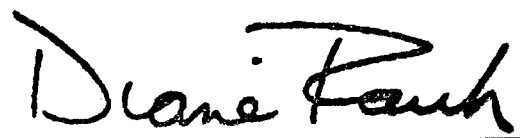
APPROVED


 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.


 Diane Rauh
 City Clerk