



Roll Call Number

13-0896

Agenda Item Number

20

Date June 10, 2013

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on May 16, 2013, its members voted 10-1-1 in support of a motion to recommend **APPROVAL** of a request from Rich Eychaner (owner) to rezone property at 3629 59th Street from "R-3" Multiple Residential District to a limited "C-2" General Retail and Highway Oriented Commercial District, to incorporate off-street parking area developed as part of the commercial center that was approved as an extension into the residentially zoned property subject to the owner agreeing to the following conditions:

1. The following uses of the land and structures shall not be permitted upon the Property:
 - a. Adult entertainment business.
 - b. Delayed deposit services businesses.
 - c. General motor vehicle repair.
 - d. Liquor stores.
 - e. Off premises advertising signs.
 - f. Pawnbroker
 - g. Taverns and nightclubs.
 - h. Vehicle display lot.

2. No building shall be constructed on the southern 25 feet of the subject property so long as the adjoining property to the south is within an "R" District.

The subject property is more specifically described as follows:

The North 83 feet of the West 109.78 feet, Lot 40, Clover Acres, 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 C-4 Plan amendment is to be considered shall be held in the Council Chambers, City Hall, Des Moines, Iowa at 5:00 p.m. on June 24, 2013, at which time the City Council will hear both those who oppose and those who favor the proposal.



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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.

[Signature of Michael F. Kelley]

Michael F. Kelley
Assistant City Attorney

(ZON2013-00059)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GRIESS, HENSLEY, MAHAFFEY, MEYER, MOORE, and TOTAL (7).

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.

[Signature of Diane Rauh]

City Clerk