



Roll Call Number

13-1625

Agenda Item Number

13

Date October 21, 2013

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on October 3, 2013, its members voted 13-0 in support of a motion to recommend **APPROVAL** of a request from Pharmco Properties (owner) represented by Michael Wolnerman (officer) to rezone property located at 2679 Maury Street from "R1-60" One-Family Low-Density Residential District to Limited "C-1" Neighborhood Retail Commercial District to allow reuse of the existing commercial building for neighborhood level retail or office uses subject to the owner agreeing to the following conditions:

1. Prohibit the use of the property for automotive and motorcycle accessory and parts stores, bakeries, furniture stores, gas stations, household appliance sales and repair, locker plants, lawn mower repair shops, multiple-family residential and upholstery shops.
2. Vehicular driveway access for any commercial or office use may only be from Maury Street.
3. Any reuse of the property for commercial use shall be subject to all Building Codes and must demonstrate the required certificate of occupancy from the Permit and Development Center. It shall also be subject to approval of a Site Plan under current regulations by the Permit and Development Center.

The subject property is more specifically described as follows:

All Lots 1 through 10, and all Lots 36 through 46, and vacated North/South alley Right-of-Way East of and adjoining Lots 36 through 46, Block 8, Larison Place, 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 November 4, 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.

Moved by Hensley to adopt.

FORM APPROVED:

Michael F. Kelley
Assistant City Attorney

(ZON2013-00158)

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

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.

Y. M. Franklin Council Mayor

Diane Rauh City Clerk