

★ Roll Call Number

14-0291

Agenda Item Number

23

Date February 24, 2014

RESOLUTION SETTING HEARING ON REQUEST FROM RACCOON STREET WAREHOUSE, TO REZONE PROPERTY LOCATED AT 403 SOUTHEAST 8TH STREET FROM "R-2A" GENERAL RESIDENTIAL DISTRICT TO LIMITED "C-3B" CENTRAL BUSINESS MIXED USE DISTRICT, TO ALLOW DEVELOPMENT OF ACCESSORY OFF-STREET PARKING

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on February 6, 2014, its members voted 9-0 in support of a motion to recommend **APPROVAL** of a request from Raccoon Street Warehouse (owner) represented by Kurt Pagliai (officer) to rezone property located at 403 Southeast 8th Street from "R-2A" General Residential District to limited "C-3B" Central Business Mixed Use District, to allow development of accessory off-street parking subject to the following conditions:

1. The following uses shall be prohibited:
 - a. Assembly and packaging of small components from previously prepared materials.
 - b. Auction businesses.
 - c. Delayed deposit services businesses, and financial institutions whereby a majority of loans are made based on collateral of future payroll or vehicle titles.
 - d. Lumberyards, retail and wholesale.
 - e. Machine shops.
 - f. Liquor stores and freestanding package goods stores for the sale of alcoholic beverages.
 - g. Pawnshops.
 - h. Printing, publishing houses and lithographing shops.
 - i. Plumbing and heating shops.
 - j. Miniwarehouse uses.
 - k. Freestanding taverns and night clubs.
 - l. Warehousing.
2. Any development or site modifications shall be in accordance with a Site Plan that satisfies the design guidelines for the "C-3B" District and the Downtown Overlay District.
3. Provision of wrought iron fencing along the Southeast 8th Street and Raccoon Street frontages for any auto-dominant uses including, but not limited to, a surface parking lot for vehicles.

WHEREAS, the subject property is more specifically described as follows:

(continued)

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Lot 1, Block 40 of TOWN OF DE MOINE, 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 March 10, 2014, 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.

MOVED by Hensley to adopt.

FORM APPROVED:

Roger K Brown
 Roger K. Brown
 Assistant City Attorney
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(ZON2013-00202)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
VOSS	✓			
TOTAL	7			
MOTION CARRIED		APPROVED		
<u>T. M. Franklin</u> 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