

Date April 21, 2014

RESOLUTION SETTING HEARING ON REQUEST FROM JERRY HOOTS (OWNER), TO REZONE PROPERTY LOCATED AT 2428 SW 9TH STREET FROM "C-1" NEIGHBORHOOD RETAIL COMMERCIAL DISTRICT TO A LIMITED "C-2" GENERAL RETAIL AND HIGHWAY-ORIENTED COMMERCIAL DISTRICT, TO PROVIDE FOR SUBSEQUENT APPLICATION FOR A CONDITIONAL USE PERMIT WHICH WOULD ALLOW THE RETENTION OF AN EXISTING LIQUOR STORE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on April 3, 2014, its members voted 10-1 in support of a motion to recommend **APPROVAL** of a request from Jerry Hoots (owner) to rezone property located at 2428 SW 9th Street from the "C-1" Neighborhood Retail Commercial District to a Limited "C-2" General Retail and Highway Oriented Commercial District with uses limited to "C-1" uses and a liquor store within the premises at 2424 SW 9th Street.

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

Lots 1 thru 5, Dorward Place, an Official Plat; AND, Parcel E as shown by the Plat of Survey recorded on November 13, 2001 in Book 9060, at Page 373, and located within Lot 6 of the Official Plat of Section 16 Township 78 Range 24 West of the 5th P.M., 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 5, 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.

★ Roll Call Number

14-0615

Agenda Item Number

25

Date April 21, 2014

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MOVED by Hensley to adopt.

FORM APPROVED:

Roger K Brown

Roger K. Brown
Assistant City Attorney

(ZON2014-00021)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
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