

Date April 21, 2014

RESOLUTION SETTING HEARING ON REQUEST FROM ST INVESTMENTS, LLC (OWNER), REPRESENTED BY TOM HOWARD (OFFICER) TO REZONE PROPERTY LOCATED AT 200 SE 6th STREET FROM LIMITED "C-3B" CENTRAL BUSINESS DISTRICT COMMERCIAL DISTRICT TO LIMITED "C-3" CENTRAL BUSINESS MIXED-USE DISTRICT TO ALLOW A RENTAL CAR DISPLAY LOT USE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on April 3, 2014, its members voted 10-0 in support of a motion to recommend **APPROVAL** of a request from ST Investments, LLC (owner) represented by Tom Howard (officer) to rezone property located at 200 SE 6th Street from a Limited "C-3B" Central Business District Commercial District to a Limited "C-3" Central Business Mixed-Use District to allow a rental car display lot use, subject to the following conditions:

1. Permitted uses of the property shall be as follows:
 - a. Display lot for rental vehicles and minor automotive repair.
 - b. As use as permitted in the "C-3B" District, except the following:
 - i. Assembly and packaging of small components from previously prepared materials within a fully enclosed building.
 - ii. Auction businesses.
 - iii. Financial institutions whereby a majority of loans are made based on collateral of future payroll or vehicle titles, including but not limited to delayed deposit service businesses.
 - iv. Lumberyards, retail and wholesale.
 - v. Machine shops.
 - vi. Liquor stores, also known as freestanding package goods stores for the sale of alcoholic beverages.
 - vii. Pawn broker businesses.
 - viii. Printing, publishing houses and lithographing shops.
 - ix. Plumbing and heating shops.
 - x. Miniwarehouse uses.
 - xi. Freestanding taverns and night clubs.
 - xii. Warehousing.
2. Any current or future development shall be in accordance with a Site Plan that satisfies the design guidelines for the "C-3B" and Downtown Overlay Districts.
3. The site layout of any development other than a display lot for rental vehicles shall be in accordance with the Market District of East Village Urban Design Study.
4. The density of any future residential development shall be established in the site plan review process.



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5. Any future residential development shall utilize measures to minimize impacts on the health, safety, and welfare of future residents from the nearby industrial uses. Such measures may include additional soundproofing, landscaping, and/or screening.
6. Any future development of a multiple-family residential use shall be in accordance with a Site Plan that satisfies the design guidelines the Design Guidelines for Multiple-Family Residential use.
7. In the event the adjoining segment of vacated Market Street is improved and dedicated as a public street, the owner of the Property shall be responsible for installing the parking plantings and perimeter landscaping along that segment of Market Street in conformance with the site plan standards.

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

The North 136.5 feet of the South 273 feet of Market Square in 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 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.

(continued)

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MOVED by Hensley to adopt.

FORM APPROVED:

Roger K Brown

Roger K. Brown
Assistant City Attorney

(ZON2014-00039)

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