

★ Roll Call Number

15-0498

Agenda Item Number

19

Date March 23, 2015

**RESOLUTION SETTING HEARING ON REQUEST FROM  
R&S LAND HOLDINGS, LLC (OWNER) TO REZONE PROPERTY LOCATED AT  
2052 ANKENY AVENUE FROM "R1-60" ONE-FAMILY LOW-DENSITY RESIDENTIAL  
DISTRICT TO "C-2" GENERAL RETAIL AND HIGHWAY-ORIENTED COMMERCIAL  
DISTRICT**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on March 5, 2015, its members voted 9-0 in support of a motion to recommend **APPROVAL** of a request from R&S Land Holdings, LLC (owner), represented by Ron Holt (officer), to rezone real property locally known as 2052 Ankeny Avenue ("Property") from "R1-60" One-Family Low-Density Residential District to "C-2" General Retail and Highway-Oriented Commercial District, to allow expansion of the adjoining commercial animal feed store and garden center, subject to the owner agreeing to the following conditions:

1. The following uses shall be prohibited on the Property:
  - a) Adult entertainment businesses;
  - b) Businesses selling liquor, wine, or beer;
  - c) Delayed deposit services;
  - d) Off-premises advertising signs;
  - e) Pawn brokerages; and
  - f) Vehicle display lots; and
2. Redevelopment of the Property for any commercial use or purpose shall only be permitted as part of a Site Plan approval by the Permit and Development Center, whereby any commercial site is brought into compliance with the current Des Moines Landscaping Standards as applicable to "C-2" Districts; and

**WHEREAS**, the Property is legally described as follows:

Lot 32, and the South ½ of the vacated alley right-of-way lying North of and adjoining said Lot 32, READ'S ADDITION TO DES MOINES, 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 attached communication from the Plan and Zoning Commission is hereby received and filed.
2. 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 April 6, 2015, at which time the City Council will hear both those who oppose and those who favor the proposal.

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- 3. 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 Gray TO ADOPT.

FORM APPROVED:

*Glenna K. Frank*

Glenna K. Frank, Assistant City Attorney

(ZON2015-00027)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				✓
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	6			1

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