

★ Roll Call Number

15-1512

Agenda Item Number

26

Date September 14, 2015

**RESOLUTION SETTING HEARING ON REQUEST FROM KESHAV KOIRALA (OWNER)  
FOR AN AMENDMENT TO THE RIVERWOODS PUD CONCEPTUAL PLAN FOR  
PROPERTY LOCATED AT 2511 SHADOW CREEK LANE**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on August 20, 2015, its members voted 8-4 in support of a motion to recommend **APPROVAL** of a request from Keshav Koirala (owner) for an amendment to the Riverwoods PUD Conceptual Plan for property located at 2511 Shadow Creek Lane ("Property"), to allow the existing single-family dwelling to be used for a home based retail sales business, subject to the following conditions:

1. Any business operating on the Property shall be limited to non-food retail business selling religious and cultural items.
2. Any customers on the Property shall arrive on an appointment basis only.
3. Any appointment where customers are on the Property shall be between the hours of 8:00 AM and 5:00 PM daily.
4. There shall be no outdoor signage related to the business.
5. Any business operating on the Property shall not employ any non-residents.
6. Any business operating on the Property shall be limited to no more than 10% of the finished floor area within the dwelling. This represents 191.1 square feet of floor area within the existing 1,911-square foot dwelling; and

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

Lot 45 WOODS ON THE RIVER PLAT 9, an Official Plat, all within 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 amendment to the Riverwoods PUD Conceptual Plan is to be considered shall be held in the Council Chambers, City Hall, Des Moines, Iowa, at 5:00 p.m. on September 28, 2015, at which time the City Council will hear both those who oppose and those who favor the proposal.
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.

( continued )

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MOVED BY Hensley TO ADOPT.

FORM APPROVED:

Glenna K. Frank

Glenna K. Frank, Assistant City Attorney

(ZON2015-00127)

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