

★ Roll Call Number
15-2056

Agenda Item Number
21

Date December 7, 2015

**RESOLUTION SETTING HEARING ON REQUEST FROM
 STEVEN SHADE D/B/A HEAVENLY HAULING (LESSEE)
 TO REZONE PROPERTY LOCATED AT 1812 2ND AVENUE**

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held November 19, 2015, its members voted 8-0 in support of a motion to recommend **DENIAL** of a request from Steven Shade d/b/a Heavenly Hauling (lessee) to rezone property located at 1812 2nd Avenue ("Property") from "M-1" Light Industrial District to "M-2" Heavy Industrial District to allow outside storage of junk and debris related to a solid waste hauling business; and

WHEREAS, the Property is legally described as follows:

Lots 13 and 14, FRANKLIN PLACE, an Official Plat, now included in an 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 December 21, 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.

FORM APPROVED:

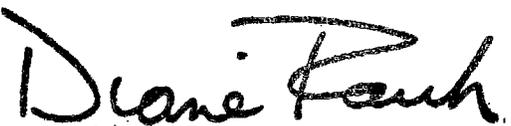

 Lawrence R. McDowell
 Deputy City Attorney

Moved by Gatto to adopt.
 (ZON2015-00210)

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.

 _____ City Clerk