

★ Roll Call Number

16-0275

Agenda Item Number

24

Date February 22, 2016

RESOLUTION SETTING HEARING ON REQUEST FROM GEORGE M. CLAYTON TO REZONE PROPERTY LOCATED AT 5311 SOUTHWEST 9TH STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on February 4, 2016, its members voted 11-1 in support of a motion to recommend DENIAL of a request from George M. Clayton (owner) to rezone the eastern portion of the real property locally known 5311 Southwest 9th Street ("Property") from "R1-60" One-Family Residential District to "C-2" General Retail and Highway-Oriented Commercial District to allow for retention and use of an existing accessory structure to be used in common with the commercial use on the western portion of the Property; and

WHEREAS, the Property is legally described as follows:

Lot 12 (except the North 75 feet thereof and except the East 400 feet thereof) in DU PONT PLACE, an Official Plat, all 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 March 7, 2016, at which time the City Council will hear both those who oppose and those who favor the proposals.
3. That the City Clerk is hereby authorized and directed to cause notice of said proposals 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:

Glenna K. Frank, Assistant City Attorney

MOVED by Gatto to adopt.

(ZON2015-00226)

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.

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MOORE, WESTERGAARD, and TOTAL (7 yeas).

MOTION CARRIED

APPROVED

T. M. Franklin Council Mayor

Diane Rauh City Clerk