



Roll Call Number

16-0763

Agenda Item Number

24

Date May 9, 2016

RESOLUTION SETTING HEARING ON REQUEST FROM ROBERT FESSLER TO REZONE PROPERTY LOCATED AT 2012 AND 2016 EAST OVID AVENUE FROM "FW" FLOODWAY DISTRICT TO "M-1" LIGHT INDUSTRIAL DISTRICT

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on April 7, 2016, its members voted 10-0 to recommend APPROVAL of a request from Robert Fessler (owner) to rezone property located at 2012 and 2016 East Ovid Avenue ("Property") from "FW" Floodway District to "M-1" Light Industrial District to allow for development of an industrial building on the site outside the regulatory flood hazard areas; and

WHEREAS, the Property is legally described as follows:

Commencing at the Northeast Corner of Lot 12 in OVID HEIGHTS, an Official Plat; thence South 00°18'35" East along the East Line of said Lot 12, a distance of 7.10 feet; thence North 89°49'07" West, a distance of 69.00 feet, to the Point of Beginning; thence South 17°34'57" East, a distance of 87.56 feet; thence North 89°50'49" West, a distance of 53.93 feet; thence South 00°21'01" East, a distance of 36.00 feet; thence North 89°49'07" West, a distance of 103.00 feet; thence North 00°21'10" West, a distance of 119.42 feet; thence South 89°49'07" East, a distance of 131.00 feet to the Point of Beginning; 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 May 23, 2016, 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.

MOVED BY Hensley TO ADOPT.

FORM APPROVED:

Glenna K. Frank, Assistant City Attorney

(ZON2016-00058)

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

MOTION CARRIED

APPROVED

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.

Mayor signature: T. M. Franklin

City Clerk signature: Diane Rauh