



**Roll Call Number**

17-0476

**Agenda Item Number**

22

**Date** March 20, 2017

**RESOLUTION SETTING HEARING ON REQUEST FROM ROLL-OFFS OF DES MOINES TO REZONE PROPERTY LOCATED IN THE VICINITY OF 20 EAST 18TH STREET**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on March 2, 2017, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from Roll-Offs of Des Moines (owner), represented by Anthony Holt (officer), to rezone property located in the vicinity of 20 East 18th Street ("Property") from Limited "M-2" Heavy Industrial District to amended Limited "M-2" Heavy Industrial District to allow expansion of the permitted uses from outdoor storage of inoperable machinery to include outdoor storage and sorting of recycled waste materials within roll-off containers and dismantling of vehicles and machinery, subject to the following conditions:

1. Use of the Property shall be limited to the following:
  - a. Any use as permitted and limited in the M-1 District.
  - b. Any of the following uses so long as they are in accordance with a Conditional Use Permit as granted by the Zoning Board of Adjustment:
    - i. Storage of inoperable machinery and/or equipment, such as forklifts, trucks, and automobiles.
    - ii. Dismantling of equipment, such as forklifts, trucks, and automobiles.
    - iii. Recycling (including sorting and transferring) of waste materials, such as metals, wood, shingles, cardboard, and paper.
2. Any area used for outdoor storage of inoperable machinery, dismantling of equipment, or recycling of waste materials shall be completely screened from view and shall be setback at least 100 feet from any public right-of-way; and

**WHEREAS**, the Property to be rezoned is legally described as follows:

LOTS 1 THROUGH 8 AND LOTS 15 THROUGH 22, BLOCK 1, I.N. THOMAS SUB DIVISION, AN OFFICIAL PLAT, AND THE VACATED EAST-WEST ALLEY LYING NORTH AND ADJOINING LOTS 17 THROUGH 22, BLOCK 1, I.N. THOMAS SUB DIVISION 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 at the Richard A. Clark Municipal Service Center (MSC), located at 1551 E. Martin Luther King, Jr. Parkway, Des Moines, Iowa, at 5:00 p.m. on April 3, 2017, at which time the

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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

Glenna K. Frank, Assistant City Attorney

(ZON2017-00010)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MOORE	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

T. M. Franklin Council 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