

★ Roll Call Number

17-1190

Agenda Item Number

41B ✓

Date July 10, 2017

RESOLUTION CONTINUING HEARING ON REQUEST FROM HY-VEE, INC. TO REZONE PROPERTY AT 3212 MERLE HAY ROAD, 5801 HICKMAN ROAD AND 2315 59TH STREET

WHEREAS, on June 26, 2017, by Roll Call No. 17-1051, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on June 15, 2017, its members voted 12-1 in support of a motion to recommend APPROVAL of a request from Hy-Vee, Inc. (purchaser), represented by Randy Downs (officer), to rezone property locally known as 3212 Merle Hay Road, 5801 Hickman Road and 2315 59th Street (collectively "Property") from "R1-60" One-Family Low-Density Residential District and "C-1" Neighborhood Retail Commercial District to "C-2" General Retail and Highway-Oriented Commercial District, to allow for anticipated redevelopment with a gas station/convenience store with more than eight (8) fueling locations and a coffee shop with drive-through window; and

WHEREAS, on June 26, 2017, by Roll Call No. 17-1051, it was duly resolved by the City Council that the application of Hy-Vee, Inc. to rezone the Property, as legally described below, be set down for hearing on July 10, 2017 at 5:00 p.m. in the Council Chambers at the Municipal Service Center; and

WHEREAS, due notice of said hearing was published in the Des Moines Register, as provided by law, setting forth the time and place for hearing on said proposed amendment to the Zoning Ordinance; and

WHEREAS, Hy-Vee Inc. has requested a continuance of the public hearing to the July 24, 2017 City Council meeting.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the public hearing regarding rezoning of the Property from "R1-60" One-Family Low-Density Residential District and "C-1" Neighborhood Retail Commercial District to "C-2" General Retail and Highway-Oriented Commercial District is hereby opened and continued to July 24, 2017 at 5:00 p.m. at the Richard A. Clark Municipal Service Center (MSC), located at 1551 E. Martin Luther King, Jr. Parkway, Des Moines, Iowa.

FORM APPROVED:

MOVED BY Gray TO ADOPT.

Glenna K. Frank

Glenna K. Frank, Assistant City Attorney

(ZON2017-00085)

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