



Roll Call Number

17-1362

Agenda Item Number

24 ✓

Date August 14, 2017

RESOLUTION SETTING HEARING ON REQUEST FROM CAPITOL CITY TOWING & RECOVERY, LLC TO REZONE PROPERTY AT 915 SOUTHEAST 14TH COURT

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on August 3, 2017, its members voted 10-1 in support of a motion to recommend DENIAL of a request from Capitol City Towing & Recovery, LLC (lessee), represented by Adam Malloy (officer), to rezone property at 915 Southeast 14th Court ("Property") from "C-2" General Retail and Highway-Oriented Commercial District to "M-2" Heavy Industrial District, to allow the Property to be used for a towing operation involving the outdoor storage of inoperable vehicles, rebuilding and recycling of vehicles, and vehicle sales lot, considered a junk and salvage yard; and

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

Lots 107-110, and the east 1/2 alley west of and adjoining Lots 107-110, Grays Subdivision, Blocks 50 & 62, Brooks and Cos. Addition, an official plat, 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 August 28, 2017, 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.

Sponsor: Council Member Gatto.

FORM APPROVED:

Glenna K. Frank, Assistant City Attorney

MOVED BY Hensley TO ADOPT. (ZON2017-00109)

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

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