

★ Roll Call Number

17-1501

Agenda Item Number

53A

Date August 28, 2017

RESOLUTION ON REQUEST FROM CAPITOL CITY TOWING & RECOVERY, LLC TO AMEND THE PLANDSM: CREATING OUR TOMORROW PLAN FUTURE LAND USE DESIGNATION (915 SOUTHEAST 14TH COURT)

WHEREAS, on April 25, 2016, by Roll Call No. 16-0717, the City Council adopted the PlanDSM: Creating Our Tomorrow Plan; and

WHEREAS, on August 14, 2017, by Roll Call No. 17-1362, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held August 3, 2017, its members voted 10-1 to recommend DENIAL of a request from Capitol City Towing & Recovery, LLC (lessee), represented by Adam Malloy (officer), to amend the PlanDSM: Creating Our Tomorrow Plan future land use designation for real property in the vicinity of 915 Southeast 14th Court from Community Mixed Use to Industrial, as required to rezone said property to "M-2" Heavy Industrial District for use 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.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the proposed amendment to the PlanDSM: Creating Our Tomorrow Plan, as described above, is hereby approved / denied.

MOVED by Gatto to adopt and APPROVE / DENY the proposed amendment.

FORM APPROVED:

Glenna K. Frank, Assistant City Attorney

(21-2016-4.08)

NOTE: Six affirmative votes are required to approve the proposed amendment due to the Plan and Zoning Commission's recommendation for denial. Des Moines City Code §82-78.

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