



Roll Call Number

18-1069

Agenda Item Number

21

Date June 25, 2018

RESOLUTION SETTING HEARING ON REQUEST FROM UTRAJ, LLC TO REZONE 2216 EAST 14TH STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on June 7, 2018, its members voted 12-0 in support of a motion to recommend DENIAL of a request from Utraj, LLC (purchaser), represented by Utkarsh Mahajan (officer), to rezone property at 2216 East 14th Street ("Property") from Limited "C-2" General Retail and Highway-Oriented Commercial District, with uses restricted to those allowed in the "C-1" Neighborhood Retail Commercial District and used car sale lots, to a Limited "C-2" General Retail and Highway-Oriented Commercial District with the ability to sell packaged liquor as part of a Limited Retail/Food Sales Use or Gas Station/Convenience Store Use; and

WHEREAS, the Property is legally described as follows:

LOTS 85, 86, 87 AND 88, EXCEPT THAT PART CONDEMNED FOR HIGHWAY PURPOSES, IN DEMOTTE'S ADDITION TO CAPITAL PARK, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY.

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 Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on July 9, 2018, 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 Coleman TO ADOPT.

FORM APPROVED:

Glenna K. Frank

Glenna K. Frank, Assistant City Attorney

(ZON2018-00072)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, COLEMAN, GATTO, GRAY, MANDELBAUM, 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