



Roll Call Number

19-0284

Agenda Item Number

22

Date February 25, 2019

RESOLUTION SETTING HEARING ON REQUEST FROM BROWN DOG REALTY, LLC TO REZONE PROPERTY LOCATED AT 2110 WAKONDA VIEW DRIVE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on February 7, 2019, its members voted 9-0 in support of a motion to recommend **APPROVAL** of a request from Brown Dog Realty, LLC (owner), represented by David Kriens (officer), to rezone property located at 2110 Wakonda View Drive (“Property”) from “R1-80” One-Family Residential District to Limited “C-2” General Retail and Highway-Oriented Commercial District, to allow off-street parking, loading and maneuvering areas to the west of the existing plumbing and mechanical shop on the Property, subject to the following conditions:

1. The Property shall not be used for any of the following prohibited uses: adult entertainment business; businesses selling liquor, wine, or beer; off-premises advertising signs; taverns and nightclubs; and vehicle display lots.
2. Replacement of the existing drive access as part of any site expansion shall require reduction of the width to a maximum of 36 feet in width with 10-20 foot radii.
3. Provision of a five-foot wide public sidewalk along Wakonda View Drive as part of any site expansion.
4. Compliance with all landscaping requirements as applicable to “C-2” Districts as part of any site expansion. In addition, a bufferyard using “C-2” District standards shall be provided along the west side of any paved area as part of any site expansion; and

WHEREAS, the Property is legally described as follows:

THE EAST ½ HALF OF LOT 30 AND THE WEST 30 FEET OF LOT 31, WAKONDA KNOLLS, AN OFFICIAL PLAT, 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 Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on March 11, 2019, 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.



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MOVED BY Gatto TO ADOPT.

FORM APPROVED:

Glenna K. Frank
Glenna K. Frank, Assistant City Attorney

(ZON2019-00002)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED :

J. M. Franklin Cownie 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