

★ Roll Call Number  
19-0469

Agenda Item Number  
31

Date March 25, 2019

**RESOLUTION SETTING HEARING ON REQUEST FROM AMT ASSOCIATES, LLC TO REZONE  
PROPERTY LOCATED AT 1315 EAST BROADWAY AVENUE**

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on March 7, 2019, its members voted 11-0 in support of a motion to recommend **APPROVAL** of a request from AMT Associates, LLC (owner), represented by Lance Arrasmith (officer), to rezone property located at 1315 East Broadway Avenue ("Property") from Limited "M-1" Light Industrial District to amended Limited "M-1" Light Industrial District, to remove the existing zoning condition requiring opaque wood or masonry fencing and allow reuse of the existing chain link fencing with vinyl slats for an opaque screen fence material for outdoor storage associated with the existing building on the Property, subject to the following conditions in addition to the zoning conditions imposed by Ordinance No. 14,573:

1. The use of chain link fencing with slats shall be limited to the Property;
2. The new outside storage area shall remain at the rear of the building on the Property;
3. The new outside storage area shall remain the same size as the original outdoor storage area on the Property; and
4. The new outside storage area may utilize the chain-link fencing and slats that surrounded the original outdoor storage area on the Property but shall incorporate new posts; and

WHEREAS, the Property is legally described as follows:

LOT 9 VISTA BROADWAY INDUSTRIAL PLAT 1, 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 April 8, 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.

FORM APPROVED:

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

MOVED BY Gatto TO ADOPT.

(ZON2018-254)

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

MOTION CARRIED

APPROVED

**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.

J. M. Franke Cownie Mayor

Diane Rauh City Clerk