



Roll Call Number

19-1593

Agenda Item Number

23

Date October 14, 2019

RESOLUTION SETTING HEARING ON REQUEST FROM MEYER, LLC TO REZONE PROPERTY LOCATED AT 650 SOUTHEAST 30TH STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on September 19, 2019, its members voted 11-0 in support of a motion to recommend **APPROVAL** of a request from Meyer, LLC (owner), represented by David Silverstein (officer), to rezone property located at 650 Southeast 30th Street (“Property”) from “M-1” Light Industrial District to Limited “M-2” Heavy Industrial District, to allow for expansion of the existing scrap yard for outdoor storage that is being displaced by the City’s stormwater basin on the northern portion of the site, subject to the following conditions:

1. The following uses of the property shall be prohibited:
 - a. Adult entertainment businesses.
 - b. Taverns or nightclubs.
 - c. Liquor stores.
 - d. Off-premises advertising signs.
 - e. Pawn brokers.
 - f. Delayed deposit services.
2. Any buildings constructed along the public street sides of the site should meet the following requirements:
 - a. On any public street facing façade, the exterior material above grade to four feet above the finished floor level shall be constructed of durable materials, such as cast in place concrete, brick, or stone masonry.
 - b. Any use of metal exterior material on any façade shall have minimum 22-gauge thickness with no exposed fasteners.
 - c. Any façade oriented toward a public street shall have a minimum 20% window and door openings on the first level.
 - d. Any overhead doors shall not be oriented toward a public street.
3. Any redevelopment of the property shall be in accordance with a Site Plan as reviewed and approved by the Permit and Development Center.
4. Any Site Plan for the property shall comply with the City’s Landscaping Standards as applicable in the “C-2” General Retail and Highway-Oriented Commercial District; and

WHEREAS, the Property is legally described as follows:

A PART OF LOTS 2 AND 3 OF FREDREGILL, AN OFFICIAL PLAT, ALL BEING IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 3 OF FREDREGILL; THENCE SOUTH 00°12'13" EAST, ALONG THE EAST LINE OF SAID LOT 3, A DISTANCE OF 635.46 FEET, TO THE POINT OF BEGINNING; THENCE SOUTH 00°12'13" EAST, A DISTANCE OF 50.00 FEET, ALONG THE EAST LINE OF SAID LOT 3; THENCE SOUTH



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89°40'12" WEST, A DISTANCE OF 685.20 FEET TO A POINT ON THE WEST LINE OF SAID LOT 2; THENCE NORTH 00°19'48" WEST, A DISTANCE OF 50.00 FEET ALONG THE WEST LINE OF SAID LOT 2; THENCE NORTH 89°40'12" WEST, A DISTANCE OF 685.31 FEET TO THE POINT OF BEGINNING, AND CONTAINING 0.79 ACRES, MORE OR LESS.

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 November 4, 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.

MOVED BY Gatto TO ADOPT.

FORM APPROVED:

Glenna K. Frank

Glenna K. Frank, Assistant City Attorney

(ZON2019-00168)

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

CERTIFICATE

I, Laura Baungartner, Acting 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. Franklin Cownie Mayor

Laura Baungartner Acting City Clerk