



Roll Call Number

13-1199

Agenda Item Number

21

Date July 29, 2013

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on July 18, 2013, its members voted 10-0-1 in support of a motion to recommend **APPROVAL** of a request from Brace, LLC (owner) represented by Alex Langstraat (officer) to rezone property located at 901 Bell Avenue from R1-60 One-Family Low-Density Residential District and C-1 Neighborhood Retail Commercial District to the NPC District subject to the following conditions:

1. Prohibit the use of the property for gas stations, liquor stores, taverns and nightclubs, and off-premises advertising signs.
2. Preserve existing shared vehicular driveway access onto Southwest 9th Street with the property adjacent to the north and preserve existing vehicular cross-access through the property to driveway access onto Bell Avenue from the adjacent property to north.

The subject property is more specifically described as follows:

South 42.5 feet of Lots 39 and 40, Bell Place Plat No. 2, an Official Plat, and the West 60 feet of Lot D, Southwest 9th Street Place, an Official Plat, all 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 meeting of the City Council at which the proposed rezoning is to be considered shall be held in the Council Chambers, City Hall, Des Moines, Iowa at 5:00 p.m. on August 12, 2013, at which time the City Council will hear both those who oppose and those who favor the proposal.



Roll Call Number

13-1199

Agenda Item Number

21

Date July 29, 2013

- 2. 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 Hensley to adopt.

FORM APPROVED:

Michael F. Kelley
Assistant City Attorney

(ZON2013-00225)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	1			
COLEMAN	5			
GRIESS	5			
HENSLEY	5			
MAHAFFEY	5			
MEYER	5			
MOORE	5			
TOTAL	7			

MOTION CARRIED

APPROVED

T. M. Franklin 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.

City Clerk