



Roll Call Number

13-1322

Agenda Item Number

16

Date August 26, 2013

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on August 15, 2013, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from Jake Christensen (developer) to rezone property located at 600 East 5th Street from R-4 Multiple-Family Residential District to C-3B Central Business Mixed Use District to allow use of the property for 103 multiple-family dwelling units, 19,433 square feet of area for a skilled nursing facility and 4,392 square feet of area for a restaurant use, subject to the following conditions:

1. The following uses shall be prohibited:
 - a. Assembly and packaging of small components from previously prepared materials within a fully enclosed building.
 - b. Auction businesses.
 - c. Financial institutions whereby a majority of loans are made based on collateral of future payroll or vehicle titles.
 - d. Lumberyards, retail and wholesale.
 - e. Machine shops.
 - f. Freestanding package goods stores for the sale of alcoholic beverages.
 - g. Pawnshops.
 - h. Printing, publishing houses and lithographing shops.
 - i. Plumbing and heating shops.
 - j. Miniwarehouse uses.
 - k. Freestanding taverns and night clubs.
 - l. Warehousing.
2. Any development or site modifications shall be in accordance with a Site Plan that satisfies the design guidelines for the C-3B District and Downtown Overlay District.
3. Any development or expansion of a multiple-family residential use shall be in accordance with a Site Plan that satisfies the design guidelines the Design Guidelines for Multiple-Family Residential use.

The subject property is more specifically described as follows:

(except triangular piece on West side, being all West of line beginning in Northwest corner thence Southerly 419.20 feet to a point 65.34 feet East of Southwest corner) Lot 6, Block D, River Hills Plat 3, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.



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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 September 9, 2013, at which time the City Council will hear both those who oppose and those who favor the proposal.
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 Mahaffey to adopt.

FORM APPROVED:

[Signature]

Michael F. Kelley
Assistant City Attorney

(ZON2013-00109)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
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.

[Signature]

City Clerk