

Date March 9, 2009


AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-277 of the Municipal Code of the City of Des Moines, Iowa, 2000, by rezoning and changing the district classification of certain property located in the vicinity of 16 Indianola Road from R-3 Multiple-Family Residential District and R1-60 One-Family Low Density Residential District to a Limited C-1 Neighborhood Retail Commercial District classification.

presented.

Moved by _____ that this ordinance be considered and given first vote for passage.

FORM APPROVED:

(First of three required readings)



 Michael F. Kelley
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

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.

_____ Mayor

_____ City Clerk

42A

ORDINANCE NO. _____

AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-277 of the Municipal Code of the City of Des Moines, Iowa, 2000, by rezoning and changing the district classification of certain property located in the vicinity of 16 Indianola Road from R-3 Multiple-Family Residential District and R1-60 One-Family Low Density Residential District to a Limited C-1 Neighborhood Retail Commercial District classification.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-277 of the Municipal Code of the City of Des Moines, Iowa, 2000, be and the same is hereby amended by rezoning and changing the district classification of certain property located in the vicinity of 16 Indianola Road, more fully described as follows, from R-3 Multiple-Family Residential District and R1-60 One-Family Low Density Residential District to a Limited C-1 Neighborhood Retail Commercial District classification

All that part of Lot 5, South Park, an Official Plat, lying North of the North line of Lot 31, Clifton Heights 1st Plat, an Official Plat, and South of Indianola Avenue and bounded on the East by vacated Webster Street, and on the West by Southwest 1st Street;

also

All Lots 24, 25, 26, 27, 28, 29, 30, 31, and 32 in said Clifton Heights 1st Plat;

also

All that part of said vacated Webster Street right-of-way, being a 30 foot strip of ground, that lies between the westerly extension of the North line of Lot 30 and the easterly extension of the South line of Lot 32 and all that part of the East half of vacated Webster Street right-of-way, being a 15 foot strip of ground, lying South of the easterly extension of the South line of Lot 32 and North of the westerly extension of the South line of Lot 24 of said Clifton Heights 1st Plat, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

Sec. 2. That this ordinance and the zoning granted by the terms hereof are subject to the following imposed additional conditions which have been agreed to and accepted by execution of an Acceptance of Rezoning Ordinance by all owners of said property and are binding upon

the owners and their successors, heirs, and assigns as follows:

1. Prohibition of the following uses:
 - a. Package goods stores for the sale of alcoholic beverages.
 - b. Pawnshops.
 - c. Financial institutions whereby a majority of loans are made based on collateral of future payroll or vehicle titles.
2. All rooftop mechanical units shall be screened from view.

Sec. 3. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Sec. 4. The City Clerk is hereby authorized and directed to cause a certified copy of the Acceptance of Rezoning Ordinance, this ordinance, a vicinity map, and proof of publication of this ordinance, to be properly filed in the office of the Polk County Recorder.

FORM APPROVED:



Michael F. Kelley
Assistant City Attorney

42A

Request from Dr. Greg Peterson (purchaser) to rezone property located at 16 Indianola Road. The subject property is owned by Clifton Heights Presbyterian Church of Des Moines.			File # ZON2008-00196		
Description of Action	Rezone property from "R1-60" One-Family Low-Density Residential District and "R-3" Multiple-Family Residential District to "C-1" Neighborhood Retail Commercial District, to allow construction of a mixed-use structure with medical and retail uses on the first floor with residential uses on the second floor.				
2020 Community Character Plan	Low-Density Residential				
Horizon 2025 Transportation Plan	Indianola Avenue from 7 th Street to SE 1 st Street to widen from 2 lanes undivided to 3 lanes undivided				
Current Zoning District	"R1-60" One-Family Low-Density Residential District and R-3" Multiple-Family Residential District				
Proposed Zoning District	"C-1" Neighborhood Retail Commercial District				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area	6	1		N/A	
Outside Area					
Plan and Zoning Commission Action	Approval	12-0	Required 6/7 Vote of the City Council	Yes	N/A
	Denial			No	N/A

Dr. Greg Peterson - 16 Indianola Road

ZON2008-00196

