



**Roll Call Number**

**Agenda Item Number**

40

**Date** June 10, 2013

An Ordinance entitled, "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 3911 Southwest 9<sup>th</sup> Street and 3915 Southwest 9<sup>th</sup> Street from the R1-60 One-Family Low-Density Residential District, to a Limited C-1 Neighborhood Retail Commercial District classification",

which was considered and voted upon under Roll Call No. 13- 0836 of May 20, 2013; again presented.

Moved by \_\_\_\_\_ that this ordinance be considered and given second vote for passage.

(Second of three required readings)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
<b>TOTAL</b>				
<b>MOTION CARRIED</b>			<b>APPROVED</b>	
_____ 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

★ Roll Call Number

13-0836

Agenda Item Number

57C

Date May 20, 2013

An Ordinance entitled, "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 3911 Southwest 9th Street and 3915 Southwest 9th Street from the R1-60 One-Family Low-Density Residential District, to a Limited C-1 Neighborhood Retail Commercial District classification",

presented.

Moved by Meyer that this ordinance be considered and given first vote for passage. Refer to City Manager and Traffic and Transportation to review the traffic concerns in the area and report back to Council the results of the Neighborhood Meeting.

FORM APPROVED:

(First of three required readings)

Michael F. Kelley  
Michael F. Kelley  
Assistant City Attorney

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

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.

T. M. Franklin  
T. M. Franklin  
Mayor

Diane Rauh  
Diane Rauh  
City Clerk

~~13-0836~~  
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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 3911 Southwest 9<sup>th</sup> Street and 3915 Southwest 9<sup>th</sup> Street from the 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 3911 Southwest 9<sup>th</sup> Street and 3915 Southwest 9<sup>th</sup> Street, more fully described as follows, from the R1-60 One-Family Low-Density Residential District, to a Limited C-1 Neighborhood Retail Commercial District classification:

The East 150.31 feet of Lot 47, Bloomfield Place, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

Section 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) Any commercial site development shall be located away from existing residential uses to the extent feasible, given existing topography, by minimizing parking setbacks along the public street sides and reducing on-site maneuvering aisles to the extent possible while still providing adequate maneuvering for delivery trucks.
- (2) Provision of 75% brick, stone, or masonry block material within the first floor on all four exterior walls of any commercial building.


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- (3) Any freestanding sign shall be a monument sign.
- (4) A sidewalk connection be provided from the public sidewalk to the store entrance.
- (5) Use of any retaining walls shall be minimized.
- (6) Any Site Plan for development of the property shall be reviewed by the P&Z.

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

Section 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