

★ **Roll Call Number**

Agenda Item Number

40A

Date..... March 26, 2007

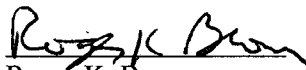
An Ordinance entitled, "AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-277 of the Municipal Code of the City of Des Moines, Iowa, 2000, by rezoning and changing the district classification of certain property located in the vicinity of 4049 Fagen Drive from the "C-2" General Retail and Highway Oriented Commercial District to the "NPC" Neighborhood Pedestrian Commercial District classification",

presented.

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

FORM APPROVED:

(First of three required readings)


 Roger K. Brown
 Assistant City Attorney

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

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

MOTION CARRIED

APPROVED

.....
 Mayor

40A

Prepared by: Roger K. Brown, Assist City Atty, 400 Robert Ray Dr., Des Moines, IA 50309 515/283-4541
 Return Address: City Clerk - City Hall, 400 Robert Ray Dr., Des Moines, IA 50309
 Title of Document: City of Des Moines, Ordinance No. _____
 Grantor/Grantee: City of Des Moines, Iowa
 Legal Description: See below on this page.

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 4049 Fagen Drive from the "C-2" General Retail and Highway Oriented Commercial District to the "NPC" Neighborhood Pedestrian 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 4049 Fagen Drive, more fully described as follows, from the "C-2" General Retail and Highway Oriented Commercial District to the "NPC" Neighborhood Pedestrian Commercial District classification:

Lot 10 and the West 15 feet of Lot 11, in Fagen Park, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

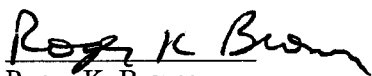
Sec. 2. This ordinance shall be in full force and effect from and after its passage and

ORDINANCE NO. _____

publication as provided by law.

Sec. 3. That the City Clerk is hereby authorized and directed to cause certified copies of the vicinity map, this ordinance and proof of publication of this ordinance to be properly filed in the office of the Polk County Recorder.

FORM APPROVED:



Roger K. Brown

Assistant City Attorney

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| | | | | |
|---|---|--------------|--|--------------|
| Request from Joe's Square, LLC (owner) represented by Joseph Giudicessi (officer) to rezone property located at 4049 Fagen Drive. | | | File # | |
| | | | ZON2007-00006 | |
| Description of Action | Rezone property from "C-2" General Retail and Highway-Oriented Commercial District to "NPC" Neighborhood Pedestrian Commercial District to allow for a mixed-use pedestrian-oriented redevelopment of property. | | | |
| 2020 Community Character Plan | Commercial: Pedestrian-Oriented Neighborhood Commercial Center | | | |
| Horizon 2025 Transportation Plan | No Planned Improvements. | | | |
| Current Zoning District | "C-2" General Retail and Highway-Oriented Commercial District. | | | |
| Proposed Zoning District | "NPC" Neighborhood Pedestrian Commercial District. | | | |
| Consent Card Responses | In Favor | Not In Favor | Undetermined | % Opposition |
| Inside Area | | | | |
| Outside Area | 5 | 3 | 0 | <20% |
| Plan and Zoning Commission Action | Approval | 10-0 | Required 6/7 Vote of the City Council | Yes |
| | Denial | | | No |

Joseph Giudicessi (Joes Square, LC) - 4049 Fagen Drive

ZON2007-00006

