

Date April 26, 2010

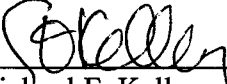
An Ordinance entitled, "AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-277 of the Municipal Code of the City of Des Moines, Iowa, 2000, by rezoning and changing the district classification of certain property located in the vicinity of 3401 and 3407 Ingersoll Avenue from the NPC District to the PUD Planned Unit Development 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				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
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.

MOTION CARRIED APPROVED

 Mayor

 City Clerk

Prepared by: Michael F. Kelley, Assistant City Attorney, 400 Robert D. Ray Drive,
Des Moines, IA 50309 515/283-4124

Return Address: City Clerk - City Hall, 400 Robert D. 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 page 1, below.

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 3401 and 3407 Ingersoll Avenue from the NPC District to the PUD Planned Unit Development 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 3401 and 3407 Ingersoll Avenue, more fully described as follows:

Land zoned PUD by Ordinance Number 14,744 dated February 11, 2008:

Lots 9, 10 and 11 Crescent Place, an Official Plat; and Lots 16, 17, 18 & 19, Stratford, an Official Plat (Except a portion of Lot 19 beginning at the NW corner of said Lot 19, thence S89°20'55"E, 79.89 feet along the North line of said Lot 19 to a point, thence S89°27'48"W, 69.88 feet to a point; thence S45°24'33"W, 14.06 feet to a point on the West line of said Lot 19; thence N00°00'03"W, 20.04 feet along said West line to the Point of Beginning), all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

Land to be rezoned from NPC to PUD and added to the above PUD (ordinance number 14744):

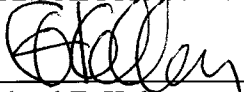
Lots 12 & 13, Crescent Place, an Official Plat; (Except a portion of Lot 12, beginning at the Southeast corner of said Lot 12: thence North 89 degrees, 18 minutes, 28 seconds West (all bearings referenced to Grid North Iowa State Plane Coordinate System South Zone) 5.42 feet along the South line of said Lot 12; thence North 11 degrees, 29 minutes, 32 seconds East, 27.72 feet to the East line of said Lot 12; thence South 00 degrees, 13 minute, 14 seconds West, 27.23 feet along said East line to the Point of Beginning), , AN OFFICIAL PLAT all now included in and forming a part of the City of Des Moines, IN POLK COUNTY, IOWA.

from the NPC District to the "PUD" Planned Unit Development District classification.

Sec. 2. This ordinance shall be in full force and effect from and after the later of its passage and 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/Warren** County Recorder.

FORM APPROVED:



Michael F. Kelley
Assistant City Attorney
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Request from Foods, Inc. (owner) to rezone property located at 3401 and 3407 Ingersoll Avenue.		File # ZON2010-00012		
Description of Action	Rezone property from "NPC" Neighborhood Pedestrian Commercial District to "PUD" Planned Unit Development. and Amend the Dahl's Foods Ingersoll Avenue PUD Conceptual Plan to incorporate the property at 3401 and 3407 Ingersoll Avenue to allow the construction of a 5,300-square foot building, 6 fuel pumps (12 fueling stations) and an automatic carwash. The building would contain a convenience store and a bank with two drive-through lanes. The existing Conceptual Plan includes a convenience store in the southwest portion of the site with 10 fueling stations.			
2020 Community Character Plan	Commercial: Pedestrian-Oriented Commercial Corridor			
Horizon 2025 Transportation Plan	No Planned Improvements			
Current Zoning District	"NPC" Neighborhood Pedestrian Commercial District			
Proposed Zoning District	"PUD" Planned Unit Development.			
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area	5	14		
Outside Area				
Plan and Zoning Commission Action	Approval	6-4-1	Required 6/7 Vote of the City Council	Yes
	Denial			No

Foods Inc. - 3425 Ingersoll Avenue

ZON2010-00012

