

71C

Date June 14, 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 2217 Beaver Avenue from the C-0 Commercial-Residential District and R1-60 One-Family Low-Density Residential District to 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				
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

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 2217 Beaver Avenue from the C-0 Commercial-Residential District and R1-60 One-Family Low-Density Residential District to 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 2217 Beaver Avenue, more fully described as follows, from the C-0 Commercial-Residential District and R1-60 One-Family Low-Density Residential District to Limited C-1 Neighborhood Retail Commercial District classification:

Except street, Lots 15 through 18 of Beaver Heights No. 2, 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) Compliance with all applicable Site Plan regulations including provision of all required landscaping and screening with a 6 foot minimum height solid wooden fence as part of necessary buffer yards along the south and east property lines.
- (2) Any additional signage on the premises may only be Type A signs (indirectly illuminated only).
- (3) Prohibit hours of operation for any business use between the hours of 9:00 p.m. and 6:00 a.m.

- (4) Prohibit the use of the property for the following uses:
- (a) Financial service establishment that involve lending based primarily on collateral of future payroll and/or repayment by post-dated check;
 - (b) Pawn brokerages;
 - (c) Bakeries;
 - (d) Restaurants;
 - (e) Delicatessens;
 - (f) Gas stations;
 - (g) Grocery stores;
 - (h) Launderettes and coin-operated dry cleaning establishments;
 - (i) Locker plants;
 - (j) Automotive accessory and parts stores;
 - (k) Upholstery shops; and
 - (l) Package goods stores for the sale of alcoholic beverages.

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

718
71C

Request from Tim C. Ford (owner) to rezone property located at 2217 Beaver Avenue		File #		
		ZON2010-00081		
Description of Action	Rezone property from "C-0" Commercial-Residential District to "C-1" Neighborhood Retail Commercial District, to allow a portion of the premises to be used for a retail gift boutique.			
2020 Community Character Plan	Low-Density Residential. Proposed Amendment to Commercial: Pedestrian Oriented Neighborhood Node			
Horizon 2035 Transportation Plan	No Planned Improvements			
Current Zoning District	"C-0" Commercial-Residential District			
Proposed Zoning District	"C-1" Neighborhood Retail Commercial District			
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area	3	1		
Outside Area				
Plan and Zoning Commission Action	Approval	12-0	Required 6/7 Vote of the City Council	Yes
	Denial			No

Tim Ford - 2217 Beaver Avenue

ZON2010-00081

