

Date..... November 8, 2010

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on October 21, 2010, its members voted in support of a motion to recommend **APPROVAL** of a City Council initiated request for Zoning Text Amendments including amendments to Municipal Code Chapters 134, 82 and 30, regulating pawnbrokers and delayed deposit service businesses; and

WHEREAS, on October 25, 2010 by Roll Call No. 10-1730, it was duly resolved by the City Council that the proposed Zoning Text and other amendments to the Municipal Code be set down for hearing in the Council Chambers, City Hall, Des Moines, Iowa at 5:00 p.m. on November 8, 2010, at which time the City Council will hear both those who oppose and those who favor the proposal; and

WHEREAS, due notice of the hearing was published in the Des Moines Register on October 28, 2010, as provided by law, setting forth the time and place for hearing on the proposed amendment to the Zoning Ordinance; and

WHEREAS, the proliferation of delayed deposit services businesses (commonly known as "payday lenders") and pawnbrokers suggests that a commercial corridor and the adjoining neighborhoods are in economic and social decline, negatively impacting reinvestment, economic development efforts and property values along the corridor and the adjoining neighborhoods; and,

WHEREAS, these businesses do not create foot traffic for adjacent businesses and a proliferation of such businesses at particular locations can overwhelm a neighborhood and can be a disincentive for the location of other neighborhood businesses in close proximity; and,

WHEREAS, it is reasonable and appropriate to regulate the placement and location of delayed deposit services businesses and pawnbrokers so as to avoid the clustering of such businesses, to protect the surrounding neighborhoods from distress and the appearance of commercial districts in decline, and to avoid the adverse effects upon the overall business atmosphere of the City which are likely to result from an over-concentration of such businesses within the commercial corridors; and,

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WHEREAS, the Legal Department has prepared Text Amendments including amendments to the Municipal Code Chapters 134, 82 and 30, regulating pawnbrokers and delayed deposit service businesses; and

WHEREAS, in accordance with the notice those interested in the proposed rezoning, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council.

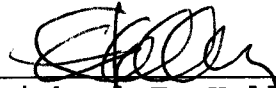
NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa as follows:

1. The City Council hereby adopts the statements set forth above in the Preamble as findings of fact.
2. That upon due consideration of the facts, statements of interested persons and arguments of counsel, the objections to the proposed Text Amendments, including amendments to the Municipal Code Chapters 134, 82 and 30 are hereby overruled, the hearing is closed and the Text Amendments are hereby APPROVED.

MOVED by _____ to adopt and approve the Text Amendments to the Municipal Code, subject to final passage of the ordinance.

(Council Communication No. 10-681)

FORM APPROVED:



 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



**Iowa
Citizens for
Community
Improvement**

We talk. We act. We get it done.

59
2001 Forest Avenue
Des Moines, IA 50311
ph 515.282.0484
fx 515.283.0031
www.iowacci.org

October 15, 2010

Des Moines City Council
City Hall
400 Robert D. Ray Dr.
Des Moines, IA 50309

Members of the Des Moines City Council:

We want to thank you for your recent attention and action regarding the proliferation of payday lenders within the city of Des Moines. We agree with Councilman Meyer when he said "these businesses are the worst of the worst subprime lenders – they set up in neighborhoods and bring them down".

We urge you to take the strongest approach when considering and enacting an ordinance regulating the operations of payday lenders within the city limits of Des Moines. In our opinion, the strongest ordinance will be one based on density per population; 1 delayed deposit (payday) lender per 20,000 residents.

CCI members have stated our position at city council meetings, Plan and Zoning Commission meetings, and other public meetings held on this issue. We have reviewed the initial proposals from the Plan and Zoning Commission regarding this issue, and we find them weak.

What is best for our capital city and our neighborhoods is to send a strong message through a density ordinance that we will not tolerate the economic degradation of our neighborhoods wrought by payday lending businesses.

At the City Council workshop on August 23, there were concerns raised that passing a density ordinance would be viewed as a business regulation rather than a land use regulation. It is our opinion that a density ordinance is most certainly a land use regulation that establishes clear guidelines that must be met before a payday lender is allowed to use land in the City of Des Moines.

We call on you to take a stand for everyday people in Des Moines and send a strong message across the state that our communities do not need payday lenders on every block. Put people first and enact an ordinance regulating the number of payday lending businesses that can operate in our city at 1 per 20,000 residents.

Sincerely,

<u>Name</u>	<u>Address</u>	<u>Zip Code</u>
Matthew Covington	2805 Cottage Grove Ave. #2	50311
Katie Bryan	1224 40th St.	50311
Lisa Whelan	1011 42nd St.	50311
Chris Neubert	2419 Cottage Grove Ave. #6	50311
Judy Lonning	5131 Robertson Dr.	50312
Ferol Wegner	6215 Pleasant Dr.	50312
Brenda LaBlanc	3114 Scott Ave.	50317
Mike McCarthy	2906 39th St.	50310
Ruth Schultz	820 17th St. #3	50314
Eloise Cranke	2222 E. 41st St.	50317
Virginia Gieseke	1030 59th St.	50311
Adam Mason	1434 44 th St.	50311
Kristin Schaaf	3205 Valdez Drive	50310
Mike Ackiss	1911 Allison Avenue	50314
David Goodner	1310 7th Street	50314
Alice Bryan	1235 Broad St.	50315
Cheryl Van Horn	4013 Lawnwoods Dr.	50310
Renate Shotwell	2719 Adams Ave.	50310
Dawn Jorgensen	2601 Logan	50317
Mary Kay Dial	2100 34th St.	50310
Paul Espey	233 59th St.	50312
Robin Ghormley	1427 21st St.	50311
Marc Campbell	3000 Grand Ave. #412	50312
Bridget Fagan	3424 Cottage Grove	50311
Chris Moeller	700 15th St #6	50314
Bill Cappuccio	1084 - 24th St	50311
Kathleen McQuillen	830 E. Jackson Ave.	50315
Sam Espey	4312 Ashby Ave.	50310
Jeanie Hagedorn	1657 Beaver Ave.	50310
John Heitzman	606 Locust St.	50309
Joe Hill	958 22nd St.	50312
Harold Howard	1549 22nd St.	50311
Sherry Hutchison	405 37th St #2	50312
Jane Hutton	2829 E Grand Ave	50317
Clementine Karl	3811 34th Street	50310
Peggy Fitch	3816 Cottage Grove Ave.	50311
Doris Knight	1548 - 28th St.	50311
Linda Lovell	4055 - 42nd St.	50310
Martha McCormick	3615 Adams Ave	50310
Clark McMullen	411 Tonawanda Dr.	50312
Jean Minahan	1618 - 12th St.	50314
Joann Muldoon	1338 18th St.	50314
Colin O'Brien	1083 36th St	50311
Mike Baldus	501 College Ave.	50314
Ryan Hirl	3706 53rd	50310

Joe Fagan	3424 Cottage Grove #1	50311
Brian Cooney	2808 48th Place	50310
Tyler Reedy	3616 University Ave. #3	50311
Jeff Craig	21 E. Kirkwood	50315
Libby Buchmeier	3511 Washington Ave.	50310
Tiffanie Brommell	4120 Ardmore Rd	50310
Ron Cheatem	707 E Rose Ave	50315
Madith Burnett	3836 42nd St.	50310
Sonia Asche	659 35 St.	50312
David Skidmore	2822 44th St.	50310
David Schaaf	3205 Valdez Drive	50310
Bob LaBlanc	3114 Scott Ave.	50317
Anna Mason	1434 44 th St.	50311
Mandy Espey	233 59th St.	50312
Elaine Hagedorn	1657 Beaver Ave.	50310
Elaine Howard	1549 22nd St.	50311
John Hutton	2829 E Grand Ave	50317
Norman Knight	1548 - 28th St.	50311
Bob Crandall	5424 SW 16th	50315
Charles Gift	2433 E Walnut St	50317
Erica Palmer	933 18th St. #10	50314
Billy Kirby	1609 46th St.	50310
Jamie Nelson-Kirby	1609 46th St.	50310
Cynde Rayman	404 SE 36th St.	50317
Felicia Mullin	1916 Nash Drive	50314
Jennifer Perrine	5769 NE 11th Ct.	50313
Mike Murray	3224 E Douglas	50317
Sandy Struznik	3101 56th St.	50310
Tom Rendon	3704 Adams Ave	50310
David Truong	1917 8th St.	50314
Bradley Strasser	4164 NE 44th Dr	50317
Ben Zachrich	1070 - 38th St.	50311
Julia Rendon	3704 Adams Ave	50310
Erin Antonik	101 2 nd Avenue, #506	50309
Jim Dietz-Kilen	645 Polk Blvd	50312
Kari Carney	1914 40th St.	50310
Johnetta Levell	1526 22nd St.	50311
Misty Rebik	2917 Grand Ave. #204	50312
Abbey Floyd	6316 Urbandale Ave. #19	50322
Kevin Carney	1914 40th St.	50310
Emily McCarthy	4051 39th Pl	50311
Zoe Beasley	3025 Dean Ave	50317
Sandra Nett	3931 Maquoketa	50311
Jerry Szumski	2705 39th St.	50310
Ann-Marie Baughman	692 Polk Boulevard	50312
Joan Engler	400 51st St.	50312

Nathan Wright	1411 Forestdale Drive	50311
Jane Enos	1109 Filmore St.	50316
Glenn Baughman	692 Polk Boulevard	50312
Mark Engler	400 51st St.	50312
Evelyn Glazebrook	7105 Forest Court	50311
Stephen Gross	1053 - 38th St.	50311
Chester Guinn	1041 8th St	50314
Phyllis Gale	3420 Forest Ave.	50311
Natalie Snyders	2419 Cottage Grove Ave. #6	50311
Tyler Uetz	1224 40th St.	50311
Sharon Zanders-Ackiss	1911 Allison Avenue	50314
Hilary Mitchell	820 17th St. #3	50314
Linda Espey	4312 Ashby Ave.	50310
Ava Cheatem	707 E Rose Ave	50315
Jeff Asche	659 35 St.	50312
Charlene Skidmore	2822 44th St.	50310
Luann Burkle	3424 Cottage Grove #1	50311
Curt Buchmeier	3511 Washington Ave.	50310
Brad Brommell	4120 Ardmore Rd	50310
Jon Krieg	1522 - 29th St.	50311
Amy Colwell	3616 University Ave. #3	50311
Mary Kunkel	4114 SW 25th St	50321
Patrick Cooney	1721 Pleasant #9	50314
Ron Eslinger	5605 Meredith Drive	50310
Misti Craig	21 E. Kirkwood	50315
Alvie Grimes	2542 Lyon	50317
Tracy Robson	2915 48th Street	50310
Bill Douglas	1406 Mondamin Ave.	50314
Dave Stephenson	1527 10th St	50314
Sherry Strasser	4164 NE 44th Dr	50317
JoAnvan Balen	6001 Creston Ave. #16	50321
Maria Downs	2718 Cambridge St.	50313
Mary Crouse	4249 NE 7th St.	50313
Marc Broer	5285 NW 6th Dr.	50313
Lennis Allen	2541 Capitol Ave	50317
Jill Augustine	2504 48th St	50310
Steve Berry	2743 - 53rd St	50310
Gayle Murray	3224 E Douglas	50317
John Struznik	3101 56th St.	50310
Willa Tharp	4111 Ingersoll Ave. #1005	50312
Doris Covalt	1534 43rd St.	50311
Geraldine Daniels	2720 Adams Ave	50310
Catherine Dietz-Kilen	645 Polk Blvd	50312
Diane Fagner	1108 36th St.	50311
Robert Easler	4115 29th St.	50310
Florence Frette	3100 Grand Ave. #30	50312
Layne Ghormley	3025 Dean Ave	50317

Eleanor Gift	2433 E Walnut St	50317
Carol Crandall	5424 SW 16th	50315
Robert Moore	2405 Maple St.	50317
Norma Stapleton	2725 E Walnut	50317
Margi Florence	3519 Adams Ave	50310
Mary Kay Casey	2410 Kenway	50310
John Casey	1343 - 43rd St.	50311
Charles Kunkel	4114 SW 25th St	50321
Jean Basinger	1335 48th St.	50311
Janet Drey	112 E. 35th Ct.	50317
Bob Gale	3420 Forest Ave.	50311
Ruth Brassfield	918 35th St	50312
Tim Hinchliff	3503 48th St.	50310
Jerry Conley	3835 Bel-Aire Rd.	50310
Roger Hudson	3919 Hillcrest Dr.	50310
M.G. Nielsen	4323 41st. St.	50310
Gene Harding	300 Walnut Unit 2	50309
Robert Ennis	1061 37th St.	50311
Vera Easler	4115 29th St.	50310
Harold Rathert	2909 Woodland # 814	50312
Gordon Greser	3810 Amick	50310
Hazel Gunwell	1080 NE 51st Ave.	50313
Ralph Schilling	3662 Ingersoll Ave. #414	50312
Florence Buhr	4127 30th St.	50310
Steve Larson	4219 Allison	50310
Maggie Rawland	4111 Ingersoll Ave. #905	50312
Ben Allen	3816 Cottage Grove Ave.	50311
Pam Hedges	PO Box 4185	50333
Bret McFarlin	853 18th St	50314
Ellen Grimes	2022 40th Place	50310