



**Roll Call Number**

**Agenda Item Number**

38A

**Date** April 4, 2022

An Ordinance entitled, "AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-1.10 of the Municipal Code of the City of Des Moines, Iowa, 2000, by rezoning and changing the district classification of certain property located 3010 Fleur Drive and 3020 Fleur Drive from 'N3a' Neighborhood District to Limited 'NX1' Neighborhood District classification",

presented.

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

FORM APPROVED:

(First of three required readings)

  
\_\_\_\_\_  
Judy K. Parks-Kruse  
Assistant City Attorney

(ZONG2021-000051)  
(ZONG2021-000052)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	

**CERTIFICATE**

I, P. Kay Cmelik, 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.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

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Prepared by: Judy K. Parks-Kruse, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, IA 50309 Phone: 515/283-4533  
 Return Address: City Clerk - City Hall, 400 Robert D. Ray Drive, 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 and 2, below.

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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 134-1.10 of the Municipal Code of the City of Des Moines, Iowa, 2000, by rezoning and changing the district classification of certain property located at 3010 Fleur Drive and 3020 Fleur Drive from 'N3a' Neighborhood District to Limited 'NX1' Neighborhood 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 134-1.10 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 310 Fleur Drive and 3020 Fleur Drive from 'N3a' Neighborhood District to Limited 'NX1' Neighborhood District classification, more fully described as follows:

"LOT 2 (EXCEPT THE EAST 4 FEET) AND THE SOUTH 3 FEET OF THE WEST 193 FEET OF THE EAST 200 FEET OF LOT 1 (EXCEPT THE WEST 4 FEET OF THE EAST 11 FEET OF THE SOUTH 3 FEET) IN WILLOWMERE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

AND

LOT THREE (3) EXCEPT THE EAST 4.00 FEET THEREOF (AS MEASURED PERPENDICULAR TO THE EAST LINE OF LOT 3) IN WILLOWMERE, AN OFFICIAL PLAT, 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. Drive approaches to the site from Fleur Drive are prohibited;
2. No more than 15 household units shall be developed;
3. Any building that does not front Fleur Drive shall not exceed 2 stories in total height;
4. Any building that does not front Fleur Drive shall have a roof form and overall character that is similar to the character of the one household dwellings in the area to the satisfaction of the City's Planning and Urban Design Administrator; and
5. The development shall comply with all stormwater management standards to the satisfaction of the City Engineer.

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

Section 4. That the City Clerk is hereby authorized and directed to cause certified copies of the Acceptance of Rezoning Ordinance, this ordinance, vicinity map and proof of publication of this ordinance to be properly filed in the office of the County Recorder of the county in which the subject property is located.

FORM APPROVED:

  
\_\_\_\_\_  
Judy K. Parks-Kruse  
Assistant City Attorney