



Roll Call Number

09-731

Agenda Item Number

23

Date May 4, 2009

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on April 16, 2009, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from Easter Lake Estates, Inc. (owner) represented by Ronald Woods (officer) to amend the Des Moines's 2020 Community Character Plan Land Use Map Designation from Low Density Residential to Commercial: Auto-Oriented, Small-Scale Strip Development excluding the southern 140 feet of the subject property and to approve the proposed rezoning excluding the southern 140 feet of the property located at 1670 East County Line Road from R1-60 One-Family Low-Density Residential District to a Limited C-2 General Retail and Highway Oriented Commercial District to allow for future highway commercial redevelopment subject to the following conditions:

1. Prohibition of the following uses:
  - a. Adult entertainment businesses.
  - b. Financial institutions whereby a majority of loans are made based on collateral of future payroll or vehicle titles.
  - c. Mobile home parks.
  - d. Off-premise advertising signs.
  - e. Package goods stores for the sale of alcoholic beverages.
  - f. Pawnshops.
  - g. Taverns and night clubs.
  - h. Vehicle display, hire, rental and sales.
2. Submission of a tree preservation plan locating all trees greater than 6 inches in diameter on the site for review and approval by City staff at the time of platting and prior to the commencement of any tree removal, grading or construction activity.
3. Provision of a traffic study that provides trip generation estimates for any new development and existing traffic volumes on adjacent streets with a capacity analysis.
4. All commercial development shall comply with the following design standards.
  - a. The exterior of all building facades, excluding windows and doors, that face any public street or private circulation drive must be 100% covered with stone, brick, Dryvit or similar synthetic stucco treatment, architectural tilt-up concrete panels, tile, or architectural block such as split-face block, or a combination of such materials.
  - b. No part of any street facing exterior façade shall consist of metal except for accent and trim elements.
  - c. The building materials of the street facing façade(s) must wrap around the sides of the building in either a wainscot application across the entire side or extend the entire height of the side façade a distance of at least four feet back from the street façade. The Community Development Director may approve alternate exterior materials that provide an exterior appearance and durability equivalent to the permitted materials.



Roll Call Number

09-731

Agenda Item Number

23

Date May 4, 2009

- d. All outside trash containers must be enclosed with an enclosure that matches the primary building materials of the primary structure and must have steel gates.

The subject property is more specifically described as follows:

Southeast 1/4 Southwest 1/4 (Except West 20 Rods North 50 Rods) & (Except the South 125 feet) Less 9.2A Road SEC 35-78-24, AND OFFICIAL REPLAT IN POLK COUNTY, IOWA.

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

1. That the meeting of the City Council at which the proposed rezoning is to be considered shall be held in the Council Chambers, City Hall, Des Moines, Iowa at 5:00 p.m. on May 18, 2009, at which time the City Council will hear both those who oppose and those who favor the proposal.
2. That the City Clerk is hereby authorized and directed to cause notice of said proposal in the accompanying form to be given by publication once, not less than seven (7) days and not more than twenty (20) days before the date of hearing, all as specified in Section 362.3 and Section 414.4 of the Iowa Code.

MOVED by Hensley to adopt.

FORM APPROVED:

Michael F. Kelley

Michael F. Kelley  
Assistant City Attorney

(ZON2009-00034)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			

MOTION CARRIED APPROVED  
T. M. Franklin Cownie Mayor

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.

Diane Rauh City Clerk