

ORDINANCE NO. 13,668

AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 2A-5 of the Municipal Code of the City of Des Moines, 1991, by rezoning and changing the district classification of certain property located in the vicinity of 6223 University Avenue from an "R1-60" One Family, Low Density Residential District to a 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 2A-5 of the Municipal Code of the City of Des Moines, Iowa, 1991, be and the same is hereby amended by rezoning and changing the district classification of certain property located in the vicinity of 6223 University Avenue, more fully described as follows, from an "R1-60" One Family, Low Density Residential District to a Limited "C-1" Neighborhood Retail Commercial District classification:

Lots 3 through 7, Waldron Place, 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:

A. Only the following uses of structures or land shall be permitted upon the Property:

1. any use allowed in the "R1-60" One Family, Low Density Residential District.
2. The office of a doctor, dentist, osteopath, chiropractor, optometrist, chiropodist, chiropodist, or similar profession.
2. Business or professional offices including the following: law, engineering, architecture, real estate, insurance, accounting and bookkeeping, and similar uses, but not including uses involving retail sales or nonprofessional services.
1. Any building upon the Property used for a commercial use shall be residential in character and shall include the following design features: be one story in height, with an overhanging hip roof with asphalt or fiberglass shingles and dormers, and having drivet, stucco or lap siding on the exterior walls.
 1. Prior to any commercial use of the Property, a six foot tall opaque screen shall be installed along the east line of the Property. The screen shall be in the form of a wood privacy fence, unless otherwise approved by the Planning Director as part of the site plan.

2. Within six months of commencement of any commercial use of the Property, landscaping shall be installed and thereafter maintained in the parking lot setback from 63rd Street in accordance with a landscaping plan approved as part of the site plan.
3. The limitations in paragraphs A through D above, shall apply to the following described Property:

Lots 3 through 8, Waldron Place, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

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

Sec. 4. That the City Clerk is hereby authorized and directed to cause certified copies of this ordinance and proof of

publication thereof to be properly filed in the office of the Recorder of Polk County, Iowa.

FORM APPROVED:

Roger K. Brown

Assistant City Attorney