

ORDINANCE NO. 13,985

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 1518 Capitol Avenue from the "R1-60" One Family, Low Density Residential District to a Limited "C-2" General Retail and Highway Oriented 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 1518 Capitol Avenue, more fully described as follows, from the "R1-60" One Family, Low Density Residential District to a Limited "C-2" General Retail and Highway Oriented Commercial District classification:

East 40.0 feet of Lot 4, and all of Lot 5, Stewart's Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa (herein the "Property").

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. There shall be no direct vehicular access between the Property and Capitol Avenue. There shall be no direct vehicular access between the Property and the adjoining East/West alley. All vehicular access to the Property shall be provided through the adjoining

land to E. 15th Street
and E. Grand Avenue.

B. The following uses of
land and structures
shall not be permitted
upon the Property:

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Auto
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2) Taverns and nightclubs.

3) Adult entertainment business.

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, and the Acceptance of Rezoning Ordinance signed by all owners of the Property to be properly filed in the office of the Recorder of Polk County, Iowa.

FORM APPROVED:

Roger K. Brown, Assistant City Attorney

Preston Daniels, Mayor

Attest:

I, Donna Boetel-Baker, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 01-2598), passed by the City Council of said City at a meeting held August 20, 2001, signed by the Mayor on August 20, 2001, and published as provided by law in the Business Record on September 3, 2001. Authorized by Publication Order No. 1875.

Donna Boetel-Baker, MMC City Clerk