

ORDINANCE NO. 14,117

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 2009 - 2015 Hubbell Avenue from the "C-2" General Retail and Highway Oriented Commercial District to a Limited "M-1" Light Industrial 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 2009 - 2015 Hubbell Avenue, more fully described as follows, from the "C-2" General Retail and Highway Oriented Commercial District to a Limited "M-1" Light Industrial District classification:

Lots 177 and 178, Hubbell Addition, an Official Plat; and, Lot 26, Read's Addition to Des Moines, an Official Plat; and the South 7.0 foot of vacated East/West alley right-of-way lying North of and adjoining lot 177 of said Hubbell Addition and lying South of Hubbell Avenue right-of-way, and lying North of and adjoining Lot 26 of said Read's Addition to Des Moines, all now included in and forming a part of the City of Des Moines, Polk County, Iowa (hereinafter referred to as 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. Only the following uses of land or structures shall be permitted upon the Property:

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B. Upon the construction of any new building or the expansion of the existing building upon the Property, a brick or

stone wainscot extending to at least 3 feet above grade shall be provided on the Hubbell Avenue facade of such new or expanded building.

C. Any new door opening in the Hubbell Avenue facade of any building upon the Property shall be of a pedestrian scale.

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 A. Daniels, Mayor

Attest:

I, Donna V. 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. 02-1730), passed by the City Council of said City at a meeting held July 8, 2002 signed by the Mayor on July 8, 2002 and published as provided by law in the Business Record on July 22, 2002 Authorized by Publication Order No. 3335.

Donna V. Boetel-Baker, City Clerk