

ORDINANCE NO. 14,720

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 1455 - 2nd Place and 218 Clark Street from the "R1-60" One-Family Low-Density Residential 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 1455 - 2nd Place and 218 Clark Street, more fully described as follows, from the "R1-60" One-Family Low-Density Residential District to a Limited "M-1" Light Industrial District classification:

Lots 55 and 56, Marshall's Second 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. Only the following uses of structures or land shall be permitted upon the Property: Wholesale warehousing in accordance with an approved site plan. Outdoor storage shall not be permitted upon the Property.
- B. Landscaping and buffering shall be provided upon the Property in accordance with the City's Landscaping Standards for the "C-2" District.
- C. Vehicular access to the Property shall be limited to access from the adjoining alley.

- D. Any building constructed or placed upon the Property shall be constructed and maintained in conformance with the following design standards:
- 1) At least 60% of the exterior facade facing 2nd Place and Clark Street, excluding windows and doors, shall be covered with stone, brick, architectural tilt-up concrete panels, tile or architectural block such as split-face block.
 - 2) Not more than 40% of the exterior façade facing 2nd Place and Clark Street shall be metal or synthetic stucco (such as EFIS or Dryvit).
 - 3) The required materials used for the exterior facades facing 2nd Place and Clark Street must wrap around the sides of the building in either a wainscoat application across the entire side or extend the entire height of the facade a distance of at least four (4) feet back from the facade facing 2nd Place and Clark Street.
 - 4) No metal (such as standing seam metal), synthetic stucco material (such as EFIS or Dryvit) or other materials susceptibility to damage shall be used as an exterior material below four (4) feet above grade.
 - 5) All outdoor dumpsters shall be enclosed by a solid opaque screen.
- E. Prior to occupancy of any building upon the Property, the adjoining property fronting on 2nd Avenue shall be improved by:
- 1) The addition and installation of brick wainscoting along the east side of the existing building;
 - 2) The installation of landscaping and buffering in accordance with the City's Landscaping Standards for the "C-2" District; and,
 - 3) The installation of solid opaque screening around all outdoor dumpsters.

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

Sec. 4. The City Clerk is hereby authorized and directed to cause a certified copy of the Acceptance of Rezoning Ordinance, this ordinance, a vicinity map, and proof of publication of this ordinance, to be properly filed in the office of the Polk County Recorder.

FORM APPROVED:

Roger K. Brown, Assistant City Attorney

T.M. Franklin Cownie, Mayor

Attest:

I, Diane Rauh, 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. 07-2149), passed by the City Council of said City at a meeting held November 5, 2007 signed by the Mayor on November 5, 2007 and published as provided by law in the Business Record on November 19, 2007, Authorized by Publication Order No. 5880.

Diane Rauh, City Clerk