

ORDINANCE NO. 14,842

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 16 Indianola Road from R-3 Multiple-Family Residential District and 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 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 16 Indianola Road, more fully described as follows, from R-3 Multiple-Family Residential District and R1-60 One-Family Low Density Residential District to a Limited C-1 Neighborhood Retail Commercial District classification

All that part of Lot 5, South Park, an Official Plat, lying North of the North line of Lot 31, Clifton Heights 1st Plat, an Official Plat, and South of Indianola Avenue and bounded on the East by vacated Webster Street, and on the West by Southwest 1st Street;

also

All Lots 24, 25, 26, 27, 28, 29, 30, 31, and 32 in said Clifton Heights 1st Plat;

also

All that part of said vacated Webster Street right-of-way, being a 30 foot strip of ground, that lies between the westerly extension of the North line of Lot 30 and the easterly extension of the South line of Lot 32 and all that part of the East half of vacated Webster Street right-of-way, being a 15 foot strip of ground, lying South of the easterly extension of the South line of Lot 32 and North of the westerly extension of the South line of Lot 24 of said Clifton Heights 1st Plat, 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:

1. Prohibition of the following uses:
 - a. Package goods stores for the sale of alcoholic beverages.
 - b. Pawnshops.
 - c. Financial institutions whereby a majority of loans are made based on collateral of future payroll or vehicle titles.
2. All rooftop mechanical units shall be screened from view.

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:

Michael F. Kelley, 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. 09-417), passed by the City Council of said City at a meeting held March 9, 2009 signed by the Mayor on March 9, 2009 and published as provided by law in the Business Record on March 23, 2009. Authorized by Publication Order No. 6600.

Diane Rauh, City Clerk