

ORDINANCE NO. 14,952

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 400 SE 6<sup>th</sup> Street from the M-1 Light Industrial to a Limited C-3B Central Business Mixed Use 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 400 SE 6<sup>th</sup> Street, more fully described as follows, from the M-1 Light Industrial to a Limited C-3B Central Business Mixed Use District classification:

East 1/2 of the North 47 feet, Lot 10, Block 43, Town of De Moine, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk and Warren 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. Prohibition of uses listed in Des Moines Municipal Code Section 134-1006[1][a]-[j].
- B. Prohibition of the following additional uses:
  - 1. Assembly and packaging of small components from previously prepared materials within a fully enclosed building.
  - 2. Auction businesses.
  - 3. Financial institutions whereby a majority of loans are made based on collateral of future payroll or vehicle titles.

4. Lumberyards, retail and wholesale.
5. Machine shops.
6. Package goods stores for the sale of alcoholic beverages.
7. Pawnshops.
8. Printing, publishing houses and lithographing shops.
9. Plumbing and heating shops.
10. Miniwarehouse uses.
11. Taverns and night clubs.
12. Warehousing.
13. Adult Entertainment Businesses as defined in Municipal Code Section 134-3.

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. 10-1297), passed by the City Council of said City at a meeting held August 9, 2010 signed by the Mayor on August 9, 2010 and published as provided by law in the Business Record on August 23, 2010. Authorized by Publication Order No. 7163.

Diane Rauh, City Clerk

