

ORDINANCE NO. 15,193

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 1135 Army Post Road 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 1135 Army Post Road, 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:

North 152.05 feet of Lot 7 and the South 46.05 feet of the North 152.05 feet of Lot 6, COHRON, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa

Section 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) Use of the property shall be limited to the following:
  - (a) Any residential use as permitted and limited in the R-2 District.
  - (b) Any commercial use as allowed and limited in the C-0 District.
  - (c) Accessory off-street parking lot used for the temporary placement of operable motor vehicles in support of a use as permitted in the C-2 District that occurs on the southern portion of the subject property (1135 Army Post Road).
- (2) The portion of property being rezoned shall be brought into conformance with the City's current landscaping requirements.
- (3) Any future development of the property shall comply with a Site Plan as approved by the Permit and Development Center.

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

Section 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. 13-0921), passed by the City Council of said City at a meeting held June 10, 2013 signed by the Mayor on June 10, 2013 and published and provided by law in the Business Record on June 28, 2013. Authorized by Publication Order No. 8601.

Diane Rauh, City Clerk