

ORDINANCE NO. 15,296

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 4044 E. 14th Street from the "C-2" General Retail and Highway-Oriented Commercial District and "R1-60" One-Family Low-Density Residential District to 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 4044 E. 14th Street, more fully described as follows, from the "C-2" General Retail and Highway-Oriented Commercial District and "R1-60" One-Family Low-Density Residential District to Limited "M-1" Light Industrial District classification:

Lots 34, 35, 36, and the North 180 feet of Lot 44 in SHAWNEE ACRES, 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:
 - a) Warehousing and outdoor contractor storage yard.
 - b) Any use permitted in and as limited in the "C-2" General Retail and Highway Oriented commercial District, except the following, which shall be prohibited upon the Property:
 - 1) Adult entertainment businesses.
 - 2) Taverns and nightclubs.
 - 3) Off-premises advertising signs.
 - 4) Liquor stores and package goods store for the sale of alcoholic beverages.
 - 5) Pawn brokerages and pawn shops.

- 6) Delayed deposit services businesses.
- B. Existing non-conforming outdoor storage areas on the Property shall be reduced to be outside of any required front yard setback and “R” District protection setback.
 - C. Any new or additional overhead doors on any principal or accessory building shall not face residentially zoned property, unless determined by the Community Development Director that no other reasonable location for the overhead doors exists and that they are adequately screened and designed in such a manner that their visual impact would be minimal.
 - D. Any development of the Property shall comply with the City’s Landscaping Standards applicable in a “C-2” District.
 - E. Any outdoor storage of loose landscaping material shall be kept within containment as approved during Site Plan review.

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. 14-1087), passed by the City Council of said City at a meeting held July 14, 2014 signed by the Mayor on July 14, 2014 and published and provided by law in the Business Record on August 1, 2014. Authorized by Publication Order No.8254.

Diane Rauh, City Clerk