

ORDINANCE NO. 15,525

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 2348 and 2354 East Grand Avenue from the "R1-60" One-Family Low-Density Residential District to Limited "C-2" General Retail and Highway Oriented 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 2348 and 2354 East Grand Avenue, more fully described as follows, from the "R1-60" One-Family Low-Density Residential District to Limited "C-2" General Retail and Highway Oriented District classification:

Lots 74 through 76, CENTRAL PARK, 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) The Property shall be brought into full conformance within one year of the approval of the rezoning, and kept, in accordance with an approved Site Plan under requirements as applicable to "C-2" Districts, including landscaping and paving requirements.
- (2) Any buildings on the Property shall be brought into good repair within one year of the approval of the rezoning, and kept in good repair, all to the satisfaction of the Zoning Enforcement Officer and Neighborhood Inspections Division Administrator.
- (3) There shall not be storage on the Property of more than two (2) unlicensed or

inoperable vehicles outside of a building.

- (4) No unlicensed or inoperable vehicles or vehicles awaiting repair associated with any business on the Property shall be parked or stored on the surrounding public street network.
- (5) Only the following uses as in “C-2” District shall be permitted on the Property:
 - a) Automobile washing and detailing establishments.
 - b) Carpenter and Cabinetmaking shops for retail custom work
 - c) Garage for general motor vehicle repair, but not including body and fender work and overall painting and steam cleaning.
 - d) Plumbing and Heating shops
 - e) Printing and Lithographing shops
 - f) Sheetmetal shops
- (6) In addition, uses as in the “C-1” District shall be permitted, except the following uses shall be prohibited on the Property:
 - a) Assembly uses
 - b) Bakeries
 - c) Boarding houses and rooming houses
 - d) Colleges and universities
 - e) Correctional placement residences
 - f) Dance studios
 - g) Delicatessens
 - h) Department stores with more than 30,000 square feet of gross floor area
 - i) Gas stations/convenience stores
 - j) Multiple-family residential dwellings
 - k) Nursing, convalescent, and retirement homes
 - l) Radio stations
 - m) Restaurants
 - n) Shelters for the homeless
 - o) Theaters

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

Section 4. That the City Clerk is hereby authorized and directed to cause certified copies of the Acceptance of Rezoning Ordinance, this ordinance, vicinity map and proof of publication of this ordinance to be properly filed in the office of the County Recorder of the county in which

the subject property is located.

FORM APPROVED:

Glenna K. Frank, 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. 16-1861), passed by the City Council of said City at a meeting held October 24, 2016 signed by the Mayor on October 24, 2016 and published and provided by law in the Business Record on November 11, 2016. Authorized by Publication Order No. 9804.

Diane Rauh, City Clerk