

ORDINANCE NO. 15,715

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 100 Watrous Avenue from the “R1-70” One-Family Residential District to 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 100 Watrous Avenue, more fully described as follows, from the “R1-70” One-Family Residential District to Limited “C-1” Neighborhood Retail Commercial District classification:

EXCEPT THE WEST 15 FEET OF THE NORTH 150 FEET, LOTS 1, 2, AND 3 SOUTHMOOR GARDENS, AN OFFICIAL PLAT, 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) Any use of the Property for Multiple-Family Residential Dwellings, Department or Retail Stores over 12,000 square feet in area, Office Buildings over 12,000 square feet in area, and Upholstery Shops shall be prohibited.
- (2) Any expansion of the existing building on the Property or redevelopment of the Property for a gas station/convenience store is subject to review and approval of a Site Plan by the Plan and Zoning Commission and by City Council under design guidelines for gas stations/convenience stores.

- (3) Any expansion or conversion of the existing building or construction of new buildings on the Property are subject to compliance with all applicable Building Codes and with all necessary permits and Certificate of Occupancy issued 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. 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. 18- 1698), passed by the City Council of said City at a meeting held October 8, 2018 signed by the Mayor on October 8, 2018 and published and provided by law in the Business Record on October 26, 2018. Authorized by Publication Order No. 10516.

Diane Rauh, City Clerk

