

ORDINANCE NO. 15,755

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 2110 Wakonda View Drive from the “R1-80” One-Family Residential District to 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 2110 Wakonda View Drive, more fully described as follows, from the “R1-80” One-Family Residential District to Limited “C-2” General Retail and Highway-Oriented Commercial District classification:

THE EAST ½ HALF OF LOT 30 AND THE WEST 30 FEET OF LOT 31,
WAKONDA KNOLLS, 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) The Property shall not be used for any of the following prohibited uses: adult entertainment business; businesses selling liquor, wine, or beer; off-premises advertising signs; taverns and nightclubs; and vehicle display lots.
- (2) Replacement of the existing drive access as part of any site expansion shall require reduction of the width to a maximum of 36 feet in width with 10-20 foot radii.

- (3) Provision of a five-foot wide public sidewalk along Wakonda View Drive as part of any site expansion.
- (4) Compliance with all landscaping requirements as applicable to “C-2” Districts as part of any site expansion. In addition, a bufferyard using “C- 2” District standards shall be provided along the west side of any paved area as part of any site expansion; and

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. 19-0426), passed by the City Council of said City at a meeting held March 11, 2019 signed by the Mayor on March 11, 2019 and published and provided by law in the Business Record on March 29, 2019. Authorized by Publication Order No.10619.

Diane Rauh, City Clerk