

ORDINANCE NO. 15,824

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 2944 Des Moines Street from the “R1-60” One-Family Low-Density 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 2944 Des Moines Street, more fully described as follows, from the “R1-60” One-Family Low-Density Residential District to Limited “C-2” General Retail and Highway-Oriented Commercial District classification:

LOT 4 OF BLOCK 2 IN ELLIOTT’S ADDITION, AN OFFICIAL PLAT, ALL BEING 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 following uses of the property permitted in the “C-2” District shall be prohibited:
 - a) Adult Business
 - b) Businesses Selling Liquor, Wine or Beer
 - c) Communication Towers and Antennas
 - d) Delayed Deposit Services
 - e) Off-Premise Advertising Signs
 - f) Pawnbrokers
 - g) Taverns and Night Clubs

h) Vehicle Display Lots

2. Any redevelopment of the property shall be in conformance with all Building Codes and Site Plan Regulations with all necessary permits 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, P. Kay Cmelik, 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. 19-1779), passed by the City Council of said City at a meeting held November 4, 2019 signed by the Mayor on November 4, 2019 and published and provided by law in the Business Record on November 22, 2019. Authorized by Publication Order No. 10945.

P. Kay Cmelik, City Clerk