

ORDINANCE NO. 15,826

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 650 Southeast 30th Street from the “M-1” Light Industrial District to Limited “M-2” Heavy 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 650 Southeast 30th Street, more fully described as follows, from the “M-1” Light Industrial District to Limited “M-2” Heavy Industrial District classification:

A PART OF LOTS 2 AND 3 OF FREDREGILL, AN OFFICIAL PLAT, ALL BEING IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 3 OF FREDREGILL; THENCE SOUTH 00°12'13" EAST, ALONG THE EAST LINE OF SAID LOT 3, A DISTANCE OF 635.46 FEET, TO THE POINT OF BEGINNING; THENCE SOUTH 00°12'13" EAST, A DISTANCE OF 50.00 FEET, ALONG THE EAST LINE OF SAID LOT 3; THENCE SOUTH 89°40'12" WEST, A DISTANCE OF 685.20 FEET TO A POINT ON THE WEST LINE OF SAID LOT 2; THENCE NORTH 00°19'48" WEST, A DISTANCE OF 50.00 FEET ALONG THE WEST LINE OF SAID LOT 2; THENCE NORTH 89°40'12" WEST, A DISTANCE OF 685.31 FEET TO THE POINT OF BEGINNING, AND CONTAINING 0.79 ACRES, MORE OR LESS.

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 shall be prohibited:

- a. Adult entertainment businesses.
 - b. Taverns or nightclubs.
 - c. Liquor stores.
 - d. Off-premises advertising signs.
 - e. Pawn brokers.
 - f. Delayed deposit services.
2. Any buildings constructed along the public street sides of the site should meet the following requirements:
 - a. On any public street facing façade, the exterior material above grade to four feet above the finished floor level shall be constructed of durable materials, such as cast in place concrete, brick, or stone masonry.
 - b. Any use of metal exterior material on any façade shall have minimum 22-gauge thickness with no exposed fasteners.
 - c. Any façade oriented toward a public street shall have a minimum 20% window and door openings on the first level.
 - d. Any overhead doors shall not be oriented toward a public street.
 3. Any redevelopment of the property shall be in accordance with a Site Plan as reviewed and approved by the Permit and Development Center.
 4. Any Site Plan for the property shall comply with the City's Landscaping Standards as applicable in the "C-2" General Retail and Highway-Oriented Commercial District.

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. 19-1785), 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. 10947.

P. Kay Cmelik, City Clerk