

ORDINANCE NO. 15,916

An Ordinance entitled, "AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-1.10 of the Municipal Code of the City of Des Moines, Iowa, 2000, by rezoning and changing the district classification of certain property located at 1437 East 14<sup>th</sup> Street and 1518 Idaho Street from "N3c" Neighborhood District and "RX-1" Mixed Use District Limited "MX3-V" Mixed Use District classification to allow continuation of the existing car wash defined as Vehicle sales and Service, Vehicle Maintenance/Repair, Minor, as a use permitted by right, and to rezone property located at 1421, 1427, and 1433 East 14<sup>th</sup> Street from "NX1" Neighborhood Mix District to "RX1" Mixed Use District, to allow reuse and/or redevelopment of the property for Mixed Use 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 134-1.10 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 at 1437 East 14<sup>th</sup> Street and 1518 Idaho Street from "N3c" Neighborhood District and "RX-1" Mixed Use District Limited "MX3-V" Mixed Use District classification to allow continuation of the existing car wash defined as Vehicle sales and Service, Vehicle Maintenance/Repair, Minor, as a use permitted by right, and to rezone property located at 1421, 1427, and 1433 East 14<sup>th</sup> Street from "NX1" Neighborhood Mix District to "RX1" Mixed Use District, to allow reuse and/or redevelopment of the property for Mixed Use classification:

A. PROPERTY TO BE REZONED LIMITED MX3-V (1437 EAST14TH STREET, 1518 IDAHO STREET AND VACATED ALLEY).

PARCEL 2017-22 AND PARCEL 2017-23 OF LOTS 224 AND 235 AND OF VACATED NORTH/SOUTH ALLEY BETWEEN SAID LOTS AND OF ABANDONED CHICAGO & NORTHWESTERN RAILWAY RIGHT-OF-WAY NORTH OF LOT 235 AND OF SAID VACATED ALLEY, ALL IN ASHBROOK, AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AS SHOWN IN A PLAT OF SURVEY RECORDED IN BOOK 16415, PAGE 458 IN THE OFFICE OF THE RECORDER OF POLK COUNTY, IOWA.

THE VACATED SOUTH 20 FEET OF 235, ASHBROOK, AN OFFICIAL PLAT, AND THE VACATED NORTH-SOUTH ALLEY LYING EAST OF AND ADJOINING THE VACATED SOUTH 20 FEET OF SAID LOT 235, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND CONTAINING APPROXIMATELY 3,568 SQUARE FEET.

B. PROPERTY TO BE REZONED TO RX1 (1433, 1427, AND 1421 EAST 14TH STREET)

LOTS 236, 237, 238, AND 239 IN ASHBROOK, 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 for 1437 East 14<sup>th</sup> Street and 1518 Idaho Street 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) Allowing a Vehicle Sales and Service, Vehicle Maintenance/Repair, Minor use limited to personal vehicle washing only with either self-service or automatic equipment within the “MX3-V” Mixed Use District Portion; and
- (2) All other uses permitted by right or by Conditional Use in the “MX3-V” Mixed Use District shall only be those uses allowed in common with and as limited in the “RX1” Mixed Use 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:

Judy K. Parks-Kruse, 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. 20-1388), passed by the City Council of said City at a meeting held on August 17, 2020 signed by the Mayor on August 17, 2020 and published and provided by law in the Business Record on September 4, 2020. Authorized by Publication Order No. 11154.

P. Kay Cmelik, City Clerk