

ORDINANCE NO. 16,030

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 2354 East Grand Avenue from MX1 Mixed Use District to Limited MX3 Mixed Use 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 134-1.10 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 2354 East Grand Avenue from MX1 Mixed Use District to Limited MX3 Mixed Use District, more fully described as follows:

Lots 74, 75 and 76 of Central Park, 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 Site shall be brought into full conformance and kept in accordance with an approved Site Plan under requirements as applicable to “MX3” Districts and Workshop/Warehouse Building Type, including landscaping and paving requirements, within one year of the approval of the rezoning.
2. Any buildings on site shall be kept in good repair to the satisfaction of the Zoning Enforcement Officer and Neighborhood Inspections Division Administrator.
3. No unlicensed or inoperable vehicles or vehicles awaiting repair associated with any business on the Property shall be parked or stored on the surrounding public street network.
4. The only uses permitted on the Property shall be the Commercial – Vehicle Sales and Service – Minor Vehicle Maintenance/Repair use and any use permitted in common with the MX1 Mixed Use District.

5. No more than three (3) vehicles per bay may be stored outdoors while awaiting repair or pick-up.
6. No long-term outdoor storage of vehicles beyond 72 hours is allowed.
7. Vehicles awaiting repair or pick-up may not occupy required parking spaces.
8. All vehicles must have current license tags.
9. Outdoor storage of junk, debris, tires or vehicle parts is prohibited.
10. All repairs must occur within a completely enclosed building.

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. 21-1279), passed by the City Council of said City at the meeting held on August 9, 2021 and signed by the Mayor on August 9, 2021 and published and provided by law in the Business Record on August 27, 2021. Authorized by Publication Order No. 11607.

P. Kay Cmelik, City Clerk