

ORDINANCE NO. 16,115

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 740 18th Street from NX2a Neighborhood Mix District to Limited MX1 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 740 18th Street from NX2a Neighborhood Mix District to Limited MX1 Mixed Use District classification, more fully described as follows:

Lots 44 and 45 in T.E. BROWN'S ADDITION TO DES MOINES, 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 maximum space allocated within the building on the Property for eating and drinking areas, excluding circulation space, restrooms, and kitchen, shall not exceed 1,650 square feet; and
- (2) The hours of operation of businesses on the Property shall end no later than 10:00 p.m. each Sunday, Monday, Tuesday, Wednesday, and Thursday, and no later than 12:00 a.m. each Friday and Saturday.

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. 22-0554), passed by the City Council of said City at the meeting held on April 4, 2022, and signed by the Mayor on April 4, 2022, and published and provided by law in the Business Record on April 22, 2022. Authorized by Publication Order No. 11806.

P. Kay Cmelik, City Clerk