

ORDINANCE NO. 16,415

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 in the vicinity of 617 Scott Avenue from “DXR” Downtown 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 in the vicinity of 617 Scott Avenue from “DXR” Downtown District to Limited “MX3” Mixed Use District classification, more fully described as follows:

**EXCEPT THE WEST 50 FEET, LOTS 8, 9 AND 10, BLOCK 54, TOWN OF DE MOINE, 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. Permitted uses shall be limited to:
  - a. Vehicle Sales and Service - Vehicle Maintenance/Repair Minor; and
  - b. Any use as permitted in common with and as limited by the DXR District.
2. Any use on the property shall be in accordance with an approved site plan.
3. A site plan for the property shall be submitted no later than April 30, 2025, and the property owner shall obtain approval no later than July 31, 2025.
4. The property shall be brought into conformance with an approved site plan by December 31, 2025.
5. Any future principal building or addition on the site shall conform to the Storefront or General Building Type regulations pursuant to Chapter 135-2.1.

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: Chas M. Cahill, Assistant City Attorney

Connie Boesen, Mayor

Attest: I, Laura Baumgartner, 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. 25-0048), passed by the City Council of said City at the meeting held on January 13, 2025 and signed by the Mayor on January 13, 2025 and published and provided by law in the Business Record on January 31, 2025. Authorized by Publication Order No. 12882.

Laura Baumgartner, City Clerk