

54A

Date September 27, 2010

An Ordinance entitled, "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 901 19th Street and 930 18th Street from R-3 Multiple Family Residential District and R-HD Residential Historic District to Limited NPC Neighborhood Pedestrian Commercial District classification",

presented.

Moved by _____ that this ordinance be considered and given first vote for passage.

FORM APPROVED:

(First of three required readings)


 Michael F. Kelley
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED APPROVED

 Mayor

 City Clerk

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ORDINANCE NO. _____

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 901 19th Street and 930 18th Street from R-3 Multiple Family Residential District and R-HD Residential Historic District to Limited NPC Neighborhood Pedestrian Commercial 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 901 19th Street and 930 18th Street, more fully described as follows, from the R-3 Multiple Family Residential District and R-HD Residential Historic District to Limited NPC Neighborhood Pedestrian Commercial District classification:

“R-3” to “NPC”

North 30 feet of Lot 72 and all Lots 73 thru 76, West 7 feet of vacated alley lying East of and adjacent to the North 30 feet of Lot 72 and all Lot 73 and all vacated alley lying East of and adjacent to Lots 74 thru 76, T. E. Browns Addition, an Official Plat, all know included in and forming a part of the City of Des Moines, Polk County, Iowa.

“R-HD” to “NPC”

East 7 feet of vacated alley lying west of and adjacent to the North 30 feet of Lot 81 and all of Lot 80, T. E. Browns Addition, an Official Plat, all know included in and forming a part of the City of Des Moines, Polk County, Iowa.

Sec. 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:

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Prohibition of the following uses:

1. Auction businesses.
2. Billiard parlors, pool halls, and game rooms.
3. Communication towers.
4. Delayed deposit services businesses.
5. Gas stations.
6. Off-premises advertising signs.
7. Pawn businesses.
8. Package goods stores for the sale of alcoholic beverages.
9. Plumbing and heating shops.
10. Taverns and nightclubs, including private clubs.

Sec. 3. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Sec. 4. The City Clerk is hereby authorized and directed to cause a certified copy of the Acceptance of Rezoning Ordinance, this ordinance, a vicinity map, and proof of publication of this ordinance, to be properly filed in the office of the Polk County Recorder.

FORM APPROVED:



Michael F. Kelley
Assistant City Attorney