

**Date** May 6, 2019

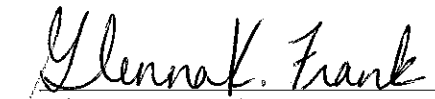
An Ordinance entitled, "AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-277 of the Municipal Code of the City of Des Moines, Iowa, 2000, by rezoning and changing the district classification of certain property located in the vicinity of 120 East 5<sup>th</sup> Street from the "M-1" Light Industrial District to Limited "C-3B" Central Business Mixed Use District classification",

presented.

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

FORM APPROVED:

(First of three required readings)

  
 Glenna K. Frank  
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				

MOTION CARRIED APPROVED

\_\_\_\_\_  
 Mayor

**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.

\_\_\_\_\_  
 City Clerk

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Prepared by: Glenna K. Frank, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, IA 50309  
 Phone: 515/283-4530  
 Return Address: City Clerk - City Hall, 400 Robert D. Ray Drive, Des Moines, IA 50309  
 Title of Document: City of Des Moines, Ordinance No. \_\_\_\_\_  
 Grantor/Grantee: City of Des Moines, Iowa  
 Legal Description: See page 1, below.

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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 120 East 5<sup>th</sup> Street from the “M-1” Light Industrial District to Limited “C-3B” Central Business 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 134-277 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 120 East 5<sup>th</sup> Street, more fully described as follows, from the “M-1” Light Industrial District to Limited “C-3B” Central Business Mixed Use District classification:

PARCEL 2017-207 OF THE PLAT OF SURVEY FILED IN THE OFFICE OF THE RECORDER, POLK COUNTY, IOWA, IN BOOK 16761, PAGE 652, ALL IN LOTS 7,8,15, AND 16 AND THE ADJOINING VACATED NORTH/SOUTH ALLEY, ALL IN BLOCK 16, TOWN OF DE MOINE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 7; THENCE SOUTH 15°04'38" EAST, 89.62 FEET; THENCE SOUTH 75°01'22" WEST, 158.62 FEET; THENCE NORTH 15°23'48" WEST, 10.03 FEET; THENCE SOUTH 74°57'09" WEST, 50.20 FEET;

THENCE NORTH 14°56'35" WEST, 79.30 FEET; THENCE NORTH 74°55'34" EAST, 208.69 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.42 ACRES MORE OR LESS AND SUBJECT TO EASEMENTS, AGREEMENTS, AND LICENSES OF RECORD.

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:

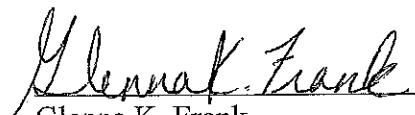
The following uses shall be prohibited:

- a. Assembly and packaging of small components from previously prepared materials within a fully enclosed building.
- b. Auction businesses.
- c. Financial institutions whereby a majority of loans are made based on collateral of future payroll or vehicle titles.
- d. Lumberyards, retail and wholesale.
- e. Machine shops.
- f. Freestanding package goods stores for the sale of alcoholic beverages.
- g. Pawnshops.
- h. Printing, publishing houses and lithographing shops.
- i. Plumbing and heating shops.
- j. Miniwarehouse uses.
- k. Freestanding taverns and night clubs.
- l. Warehousing; and

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