

ORDINANCE NO. 13,764

AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 2A-5 of the Municipal Code of the City of Des Moines, 1991, by rezoning and changing the district classification of certain property located in the vicinity of 1330, 1334 and 1342 30th Street, 3004 Forest Avenue and 1329 31st Street from an "R-3" Multiple Family Residential District to a Limited "C-1" Neighborhood Retail 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 2A-5 of the Municipal Code of the City of Des Moines, Iowa, 1991, be and the same is hereby amended by rezoning and changing the district classification of certain property located in the vicinity of 1330, 1334 and 1342 30th Street, 3004 Forest Avenue and 1329 31st Street, more fully described as follows, from an "R-3" Multiple Family Residential District to a Limited "C-1" Neighborhood Retail Commercial District classification:

Lots 4, 5, 20 and 21, Ridgewood, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa, (the "Property").

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:

A. Any building hereafter constructed or placed upon the Property shall have a brick exterior.

B. Any commercial use of the Property shall be pursuant to the approved site plan. The approved site plan shall be substantially the same as that preliminary landscape plan submitted by McDonalds Corp., dated August 31, 1999, which is on file with the Community Development Department of the City of Des Moines.

C. Any building hereafter constructed or placed upon the Property for commercial use shall substantially comply with the elevation drawing from Fullerton Building Systems, Inc., dated July 1, 1999, which is on file with the Community Development Department of the City of Des Moines.

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

Sec. 4. That the City Clerk is hereby authorized and directed to cause certified copies of this ordinance and proof of publication thereof to be properly filed in the office of the Recorder of Polk County, Iowa.

FORM APPROVED:

Roger K. Brown, Assistant City Attorney

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Attest:

I, Donna Boetel-Baker, 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. 99- 3256), passed by the City Council of said City at a meeting held October 18, 1999, signed by the Mayor on October 18, 1999, and published as provided by law in the Business Record on November 1, 1999. Authorized by Publication Order No. 6316.

Donna Boetel-Baker, CMC/AAE, City Clerk