

ORDINANCE NO. 13,800

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 1241 E. 9th Street from an "R-3" Multiple Family Residential District to a Limited "C-2" General Retail and Highway Oriented 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 1241 E. 9th Street, more fully described as follows, from an "R-3" Multiple Family Residential District to a Limited "C-2" General Retail and Highway Oriented Commercial District classification:

Lot 126, Capital Park, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa (herein referred to as 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. In any commercial redevelopment which includes the Property, the following conditions shall be observed:

1)The development shall comply with the requirement of the East University Design Guidelines to provide street trees and the 4 foot wide brick paved area or brick-like textured concrete treatment within the right-of-way between the sidewalk and curb.

2)During the site plan approval process the owner shall work with the City staff to optimize the noise control and landscaping improvements to minimize the impact upon the adjoining residentially zoned property.

3)Only two free standing signs shall be permitted for such development and such signs shall be of a monument style.

B. The following uses of structures and land shall not be permitted within such development:

1)Adult entertainment business.

2)Taverns and night clubs.

3)Vehicle sales and display, including used car sales lot.

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

P
r
e
s
t
o
n

A
.

D
a
n
i
e
l
s
,

M
a
y
o
r

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. 00-690), passed by the City Council of said City at a meeting held March 6, 2000, signed by the Mayor on March 6, 2000, and published as provided by law in the Business Record on March 20, 2000. Authorized by Publication Order No. 6437.

Donna Boetel-Baker, CMC/AAE, City Clerk