

ORDINANCE NO. 13,836

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 1460 Des Moines Street from an "R1-60" One Family, Low Density 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 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 1460 Des Moines Street, more fully described as follows, from an "R1-60" One Family, Low Density Residential District to a Limited "C-1" Neighborhood Retail Commercial District classification:

Lots 7 through 13; except the East 28.25 feet on the North line and the East 11.55 feet on the South line Lot 14; except the East 32.2 feet on the North line and the East 28.81 feet on the South line Lot 15; and all of Lots 16 through 25, all in Block 38, Steward's Addition, 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. Access to the entire Property from the adjoining public rights-of-way shall be limited to two drive accesses onto Des Moines Street.

B. At the site plan approval stage for any commercial development upon the Property, a cross access easement shall be provided to allow the entire Property to share the two allowed drive approaches onto Des Moines Street.

C. At the site plan approval stage for any commercial development upon the Property, a pedestrian access and landscaping plan with

building elevation shall be submitted for review and approval by the Planning Director. The Planning Director shall review the pedestrian access and landscaping plan and building elevation for compatibility with the design and appearance of the other property and buildings in the vicinity.

Sec. 3. This ordinance shall be in full force and effect from and after the later of its passage and publication as provided by law or July 1, 2000.

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

Preston A.  
Daniels, Mayor

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. 00-1826), passed by the City Council of said City at a meeting held June 19, 2000, signed by the Mayor on June 19, 2000, and published as provided by law in the Business Record on July 3, 2000. Authorized by Publication Order No. 2065.

Donna Boetel-Baker, CMC/AAE, City Clerk