

ORDINANCE NO. 13,978

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 4931 Douglas Avenue from a "C-1" Neighborhood Retail Commercial District to a Limited C-2" General Retail and Highway Oriented Commercial District classification allowing only "C-1" uses.

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 4931 Douglas Avenue, more fully described as follows, from a "C-1" Neighborhood Retail Commercial District to a Limited C-2" General Retail and Highway Oriented Commercial District classification:

Lots 3 and 4 and the West 114.0 feet of the East 228.0 feet of Lot 7, Senga Place, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa (herein 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:

Only the following uses of structures and land shall be permitted on the Property:

i) Any use allowed in the "C-1" Neighborhood Retail Commercial District.

ii) Signage allowed in the "C-2" General Retail and Highway Oriented

Commercial District,
except that Type "D"
flashing illuminated
signs are allowed for
the Property only so
long as it is being used
as a radio and
television sales and
repair shop.

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, and the Acceptance of Rezoning Ordinance signed by all owners of the Property to be properly filed in the office of the Recorder of Polk County, Iowa.

FORM APPROVED:

Roger K. Brown, Assistant City Attorney

Preston 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. 01-2450) , passed by the City Council of said City at a meeting held August 6,2001, signed by the Mayor on August 6, 2001, and published as provided by law in the Business Record on August 20, 2001. Authorized by Publication Order No.1860.

Donna Boetel-Baker, MMC, City Clerk