

ORDINANCE NO. 14,357

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 1710 S. Union Street from the "R-3" Multiple Family Residential District to a Limited "M-1" Light Industrial 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 1710 S. Union Street, more fully described as follows, from the "R-3" Multiple Family Residential District to a Limited "M-1" Light Industrial District classification:

Tract "A":

North 50.0 feet of Lot 6, Block 10, Van's Addition to South Des Moines, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

Sec. 2. That this ordinance and the zoning granted by the terms hereof are subject to the following imposed additional conditions which are hereby agreed to by the City of Des Moines as sole owner of both Tracts "A" and "B", and such additional conditions shall be binding upon the City of Des Moines and its successors and assigns as follows:

- A. The following conditions shall apply to both Tract "A" described above and Tract "B" described below. Tracts "A" and "B" are hereinafter collectively referred to as the "Property":

Tract "B":

Lots 7 and 8, and all the North/South alley right-of-way lying West of and adjoining said Lots 7 and 8, and lying West of and adjoining the North 50.0 feet of Lot 6, all in Block 10, Van's Addition to South Des Moines, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

- B. The following uses of structures and land shall NOT be permitted upon the Property:
 - a. Vehicle display lots, including but not limited to used car sales lots.
 - b. Adult entertainment businesses.
 - c. Taverns and nightclubs
 - d. Off-premises advertising signs

- C. The site plan for any improvements to the Property shall be submitted to the Plan and Zoning Commission for review of the compatibility of the improvements with the neighborhood, including:
 - a. The use of masonry in the architecture.
 - b. The adequacy and placement of landscaping.
 - c. The adequacy of screening.

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 the vicinity map, this ordinance, proof of publication of this ordinance, and the Acceptance of Rezoning Ordinance signed by all owners of the Property, to be properly filed in the office of the County Recorder of the county in which the Property is located.

FORM APPROVED:

Roger K. Brown, Assistant City Attorney

T. M. Franklin Cownie, Mayor

Attest:

I, Diane Rauh, 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. 04-1481), passed by the City Council of said City at a meeting held July 12, 2004 signed by the Mayor on July 12, 2004 and published as provided by law in the Business Record on July 26, 2004 Authorized by Publication Order No. 4365.

Diane Rauh, City Clerk