

ORDINANCE NO. 14,430

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 1832 Delaware from a Limited "C-1" Neighborhood Retail Commercial District and the "C-O" Commercial-Residential District classifications 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 1832 Delaware, more fully described as follows, from a Limited "C-1" Neighborhood Retail Commercial District and the "C-O" Commercial-Residential District classifications to a Limited "M-1" Light Industrial District classification:

All Lots 19, 20, 21, 22, 23, and 24, Delaware Place, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa (hereinafter 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. All internally illuminated signage upon the Property shall be either ground mounted within the front yard area or mounted on the Delaware Avenue façade only of any building.
- b. Overhead doors shall not be installed in any building facade on the Property which faces adjoining land then zoned to a residential district classification.
- c. Bus engines shall not routinely be left operating or idling outside on the Property between the hours of 10:00 p.m. and 6:00 a.m.
- d. Landscaping and screening shall be installed in accordance with the Des Moines Landscape Standards applicable to development within the C-2 District.

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 Polk County Recorder.

FORM APPROVED:

Roger K. Brown, Assistant City Attorney

Archie Brooks, Mayor Pro Tem

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. 05-906), passed by the City Council of said City at a meeting held April 11, 2005 signed by the Mayor Pro Tem on April 11, 2005 and published as provided by law in the Business Record on April 25, 2005. Authorized by Publication Order No. 4588.

Diane Rauh, City Clerk