

ORDINANCE NO. 14,532

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 1901 - 1903 High Street from the "C-2" General Retail and Highway Oriented Commercial District to a Limited "NPC" Neighborhood Pedestrian 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 1901 - 1903 High Street, more fully described as follows, from the "C-2" General Retail and Highway Oriented Commercial District to a Limited "NPC" Neighborhood Pedestrian Commercial District classification:

East 1/2 of Lot 17 and all of Lot 18, Block A, West & Burtons Addition, 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:

- A. A site plan and building elevations for any development upon the Property shall be submitted for review and approval by the Plan and Zoning Commission as provided by the Site Plan Regulations of the City of Des Moines, with the landscaping to satisfy the landscaping requirements applicable in the "C-2" District, unless a higher standard is then applicable within the "NPC" District.
- B. The owner or developer shall make a reasonable effort to present any site plan for the redevelopment of the Property at a meeting with the neighborhood association before the site plan is considered by the Plan and Zoning Commission.

- C. The following uses of structures and land are prohibited upon the Property:
- (1) Off-premises advertising.
  - (2) Package goods stores for the sale of alcoholic beverages.
  - (3) Taverns and nightclubs.

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

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. 06-069), passed by the City Council of said City at a meeting held January 9, 2006 signed by the Mayor on January 9, 2006 and published as provided by law in the Business Record on January 23, 2006 Authorized by Publication Order No. 4991.

Diane Rauh, City Clerk

