

ORDINANCE NO. 14,667

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 2142 Indianola Avenue from the "C-1" Neighborhood Retail Commercial District and "R1-60" One-Family Low-Density Residential 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 2142 Indianola Avenue, more fully described as follows, from the "C-1" Neighborhood Retail Commercial District and "R1-60" One-Family Low-Density Residential District to a Limited "NPC" Neighborhood Pedestrian Commercial District classification:

All of Lots 4, 5, 6 and 7 of Crawford Place Replat, an Official Plat, and (except beginning at the SE corner, thence west 10 feet, thence NE 10.21 feet to the east line, thence SE 10 feet to the point of beginning) Lot 7A of said Crawford Place Replat, 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. The following uses of structures or land shall be prohibited upon the Property:
- (1) Financial service centers that provide check cashing and loans secured by post dated checks or payroll guarantee as their primary activity;
 - (2) Gas Stations;
 - (3) Off-premises advertising signs;
 - (4) Packaged goods liquor stores; and,
 - (5) Taverns and Nightclubs.
- B. The south facade of any structures upon the Property facing Gray Street shall be less than three stories in height. The north facade of these same structures may be up to three stories in height to take advantage of topography and to accommodate tuck under garages.
- C. Any parking reduction allowed by the NPC district shall be subject to design review of the site plan.

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 a certified copy of the Acceptance of Rezoning Ordinance, this ordinance, a vicinity map, and proof of publication of this ordinance, 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. 07-1230), passed by the

City Council of said City at a meeting held June 18, 2007 signed by the Mayor on June 18, 2007 and published as provided by law in the Business Record on July 2, 2007, Authorized by Publication Order No. 5725.

Diane Rauh, City Clerk