

ORDINANCE NO. 14,845

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 118 Southeast 4th Street from M-1 Light Industrial District to Limited C-3A Central Business District Support 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 118 Southeast 4th Street, more fully described as follows, from M-1 Light Industrial District to Limited C-3A Central Business District Support Commercial District classification:

South .4 Feet Vacated East/West Alley Right-of-Way North and Adjoining, and North 16 Feet Vacated East Market Street Right-of-Way South and Adjoining, and All Lots 7 and 8, Block 4, Scott & Deans Addition, 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 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:

1. Adult entertainment businesses.
2. Financial institutions whereby a majority of loans are made based on collateral of future payroll or vehicle titles.
3. Mobile home parks.
4. Off-remises advertising signs.
5. Pawnshops.
6. Used car lots, except as accessory use to new vehicles dealership.

Sec. 3. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Sec. 4. 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:

Michael F. Kelley, Assistant City Attorney

Mayor T. M. Franklin Cownie,

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. 09-579), passed by the City Council of said City at a meeting held April 6, 2009 signed by the Mayor on April 6, 2009 and published as provided by law in the Business Record on April 20, 2009. Authorized by Publication Order No. 6603.

Diane Rauh, City Clerk